

HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 10 October 2019

Present

Councillor Satchwell (Chairman)

Councillors Mrs Shimbart (Vice-Chairman), Crellin, Howard, Keast, Lloyd and Lowe

Other Councillors Present:

Councillor(s):

23 Apologies for Absence

There were no apologies for absence.

24 Minutes

The minutes of the meeting of the Development Management Committee held on 28 August and 10 September 2019 were received.

25 Site Viewing Working Party Minutes

The minutes of the meeting of the Site Viewing Working Party held on 3 October 2019 were received.

26 Declarations of Interest

Cllr Caren Howard advised that although she was acquainted with the neighbour of application APP/19/00625, this acquaintance would not affect her judgement on this application. Councillor Howard further advised that she had not formed a conclusive view on this application.

27 Chairman's Report

The Chairman advised the Committee of a Development Consultation Forum to be held into the proposed new headquarters building for Portsmouth Water Company, which would take place on 22 October 2019.

28 Matters to be Considered for Site Viewing and Deferment

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

29 APP/19/00625 - 62 Ferndale, Waterloooville

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

Proposal: First floor rear extension; alterations to external wall and roof finish; replacement of existing windows; raised deck to the rear and front boundary fence.

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

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

- (1) the additional information requested by the Site Viewing Working Party held on 3 October 2019;
- (2) an amendment to paragraph 7.8 of the officer's report;
- (3) detailed an additional condition relating to the proposed ensuite window at 1st floor level

The Committee received a deputation from Mr Stevens who, with reference to a previous application for a two-storey extension at 63 Ferndale, objected to the application for the following reasons:

1. the proposal did not overcome the previous reasons for refusal relating to loss of light and high visual impact;
2. the proposal would adversely affect the light available to 64 Ferndale ("64") to the detriment to the quality of life to the residents of this property;
3. although the street was characterised by dwellings of mixed design and type, the range of designs and types was limited. The design, appearance and mixture of materials and finishes proposed didn't fall within any of these styles and were therefore out of keeping with the street scene;
4. the proposal, if permitted would have a detrimental impact on the market value of 64;
5. the flat roof extension was contrary to the Council's requirements set for the first floor extension to 64, which had to be amended to accommodate a pitch roof.

In response to a question by a member of the Committee, the depute advised that:

- (i) The aforementioned extension to 64 took place in 2010/11.

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

- (a) clarified the position and height of the proposed privacy screen to the raised deck area;

- (b) advised that the access to the garden from the raised decking would be via stairs on the side of the decking facing 64. Therefore, the privacy screen would not cover the full side of the decking which overlooked 64;
- (c) advised that recommended condition 5 required the privacy screen to be retained at all times and the removal of this screen could lead to enforcement action. It was assumed that the neighbours would let the Council know if this condition was breached;
- (d) the overlap of the first- floor extension was a design choice. The officers were not aware of any structural need for this overhang;
- (e) the proposal would use the existing access to the highway. The parking provision exceeded the Council's minimum parking requirements; and
- (f) explained the shadow analysis provided by the applicants as set out in Appendix G of the officer's report

The Committee discussed the application in detail together with the views raised by the depute.

Although some members of the Committee felt that the modern design of the proposal was acceptable, a majority of the Committee considered that whilst, in principle, it had no objection to modern designs, such a design had to be in keeping with the area. In this case, the majority of the Committee was of the opinion that the proposed appearance, bulk and design of the proposal was out of keeping with the area, which was characterised by 1950s to 60s designs.

The majority of the Committee also felt that the height, bulk, mass and proximity of the proposal to 64 would lead to a loss of light detrimental to the amenities of 64. It was therefore:

RESOLVED that application APP/19/00625 be refused for the following reasons:

- 1 the proposed extension and alterations to the existing building would result in a building that would be harmful to the character and appearance of the area by reason of the proposed design and materials. The proposals would therefore conflict with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011, and the National Planning Policy Framework.
- 2 The proposed extension would, by reason of its height, mass, bulk and proximity to the boundary have an overbearing impact and result in a loss of light to No.64 Ferndale. The proposals would therefore conflict with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011, and the National Planning Policy Framework.

30 Tree Preservation Order 2091/2019 - 64B Stakes Road, Waterloo

(The trees subject to the Order were viewed by the Site Viewing Working Party)

The Committee considered objections to the Tree Preservation Order 2091.

The Committee also considered the written report of the Head of Planning together with correspondence received.

The Committee received a deputation from Councillor Hughes who expressed concern that the order was made in response to a general enquiry about the status of the trees, without any prior discussion with the owners before the imposition of the order. He further objected to the Order for the following reasons:

- 1) there was no threat to the trees as there was no intention to remove the trees, the subject of the order. Therefore, there was no need for a Tree Preservation Order;
- 2) T1 hindered visibility to drivers when exiting the driveway of 64B Stakes Road causing danger and inconvenience to other road users. A solution to this problem would be to expand the driveway, which could not be achieved, if this tree was retained in the order;
- 3) T1 was too large and unsuitable for a site of this size and location
- 4) the root structure was causing cracking to the driveway;
- 5) the imposition of an order would place an unnecessary financial and administrative burden on the existing owners and any potential buyers of 64B Stakes Road;
- 6) these trees did not need protecting as there were a sufficient number of trees in an excellent condition in the area; and
- 7) The economic and social impact outweighs the environmental impact of keeping the trees protected.

He recommended that the Committee confirm the order subject to the deletion of T1.

Mr Boulding, who had objected to the making of the Order, was invited to take part in the meeting to present his case.

(Mr Boulding joined the meeting)

The Council's Arboricultural Officer presented the officers report and advised that it was considered expedient to make the Order to protect the significant public amenity value of the trees in response to a warning from a member of

the public that there was risk that the trees would be felled. The trees appeared to be healthy and structurally sound.

In response to questions raised by the members of the Committee, the Council's Arboricultural Officer advised that the owner would be able to fell the trees if the Order was not confirmed.

Mr Boulding had no questions for the Officers.

Mr Boulding supported Councillor Hughes's recommendation and objected to the Tree Preservation Order for the following reasons:

- (A) T1 had increased in size and the root structure was causing damage to the driveway; and
- (B) the access onto Stakes Road could not accommodate modern vehicles and needed to be widened;

In response to questions by the Committee, Mr Boulding advised that:

- a) he did not wish to fell the trees himself, only to not have an order restricting this option for future buyers; and
- b) he was aware that an Order did not prevent any works to reduce the impact of the tree. However, to widen the access on to Stakes Road he would require removal of the trunk and root structure.

Mr Boulding was given an opportunity to summarise his case but he advised that he had nothing further to add.

In response to a question from a member of the Committee, the Council Arboricultural Officer advised that the trees appeared to be healthy and structurally sound;

The Committee discussed the views raised by the depute and invitee together with a motion to confirm the order.

The Committee considered that the trees were healthy and structurally sound and had significant public amenity value. It was therefore

RESOLVED that Tree Preservation Order 2091/2019 be confirmed without modification.

The meeting commenced at 5.00 pm and concluded at 6.15 pm

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Chairman