

HAVANT BOROUGH COUNCIL

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

Present

Councillor Mrs Shimbart (Chairman)

Councillors Crellin, Keast, Lowe and Patel (Standing Deputy)

Other Councillors Present:

Councillor(s): Robinson

16 Apologies for Absence

Apologies for absence were received from Councillors Howard, Lloyd and Satchwell.

17 Site Viewing Working Party Minutes

The minutes of the Site Viewing Working Party held on 5 September 2019 were received.

18 Declarations of Interest

There were no declarations of interests.

19 Chairman's Report

The Chairman advised that although the meeting of the Committee scheduled for 19 September 2019 had been cancelled, a training session might take place on this date.

20 Matters to be Considered for Site Viewing and Deferment

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

21 APP/19/00038 - Land adj to 11 Queen Annes Drive, Havant, PO9 3PG

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

Proposal: Erection of 1 No. 3 bed dwelling with associated access and parking.

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

The Committee also considered the minutes of the Site Viewing Working Party held on 5 September 2019, which were circulated as supplementary planning information prior to the meeting.

The Committee was advised of the following amendment to condition 10:

Replace the words “southern elevation facing” with “south facing elevation”

The Committee was addressed by the following deputies:

(A) Mr Russell, who objected to the application for the following reasons:

- 1 The proposed development was overbearing and out of keeping with the character of the street scene;
- 2 The proposal did not overcome the reasons for refusal for a previous application for development of this site and 11 Queen Anne's Drive (APP/17/00451);
- 3 The proposal was an overdevelopment of the site and would not provide an adequate outdoor private garden space. Therefore the development did not provide satisfactory living conditions for the occupants and would have an adverse effect on the amenities of occupiers of adjoining properties;
- 4 The proposed development would infill a gap to the detriment of the visual amenities and spatial characteristics of the street scene and outlook to the occupiers of 6 Norman Way;
- 5 The proximity of the proposed dwelling to 6 Norman Way would give rise to overlooking which would be detrimental to the amenities of the occupiers of this property;
- 6 Having regard to the size of the private outdoor garden space, the size of the proposed dwelling and its relationship to existing properties, the proposed development would be detrimental to the quiet enjoyment of adjoining properties;

(B) Mr Hutchings, who supported the objections raised by Mr Russell, and commented on the history of the site and 11 Queen Annes Drive:

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

- The officers had not given sufficient weight to the history of the site and 11 Queen Anne's Drive
- The application site should be restored as the garden to 11 Queen Anne's Drive

(C) Ms Glover, who supported the application for the following reasons:

- 1 the application site was in a sustainable location;
- 2 the application was designed to ensure that it did not have a harmful impact on the character of the area;
- 3 the current application sought permission for a three- bedroom dwelling of a reduced size, width and eaves height compared to the dwellings proposed under APP/17/00451;
- 4 the amenity space would be ample for a three-bedroom dwelling and would fill an uncharacteristic gap;
- 5 the design of the application reflected the character of the street scene;
- 6 the separation distance between the proposed dwelling and adjoining properties were acceptable. Therefore, there was no overlooking;
7. the internal layout of the proposed dwelling was designed to prevent overlooking of 6 Norman Way;
8. there were no objections from the Highway Authority and the car parking provision complied with the Council's standards; and
8. the proposal was nutrient neutral.

With regards to the views made by the deputees, she advised the Committee that there was no such thing as precedent as each application had to be considered on its own merits. In response to this comment, a member of the Committee advised that precedent was a material consideration, if the application was likely to make it difficult for the Council to refuse similar applications.

A majority of the Committee considered that:

- (a) the development was in keeping with the character of the street scene and area;
- (b) the scale and mass of the development would not affect the amenity of the neighbouring properties;
- (c) although the proposed garden was small, it mirrored the garden space for 11 Queen Anne's Drive;
- (d) overlooking was kept to a minimum; there was more overlooking from 11 Queen Anne's Drive; and

- (e) the relationship with 6 Norman Way would not lead to a loss of light.

It was therefore

RESOLVED that application APP/19/00038 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 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 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.
- 3 No development shall take place until finished floor levels for the proposed building relative to 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: In the interests of the amenities of the area having due regard to policy CS16 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.
- 4 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) 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 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No above ground 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.

- 6 No piling shall take place until a piling risk assessment and method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Portsmouth Water. Any piling, if proposed, must be undertaken in accordance with the terms of the approved piling method statement.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. Therefore, penetrative foundation methods have the potential to impact on the underlying groundwater and thus the Havant and Bedhampton Springs public water supply. This condition is therefore necessary 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 2018.

- 7 No development shall commence until the detailed design (e.g. depth) of the surface water systems (shallow soakaway(s)) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: The proposed development lies within an area of sensitive groundwater used for human consumption. Deep infiltration systems can provide a pathway for contaminants. Any contamination present may pose a risk to groundwater underlying the site and to the surrounding potable supplies. This condition is therefore necessary 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.

- 8 The car 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 Prior to occupation the access shall be surfaced in a non-migratory material for a minimum distance of 6m. measured from the nearside edge of carriageway of the adjoining highway. The surfacing shall be maintained in this condition at all times thereafter.

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.

- 10 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the windows in the first floor on the south facing elevation shall be fitted with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) with only the top fanlights to be openable 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.

- 11 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order, no extension or outbuilding permitted by Classes A, B, C, D or E of Part 1 of Schedule 2 to the 2015 Order (as amended) shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: To protect the amenity of the area and to secure satisfactory levels of private amenity space for future residents and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The development hereby permitted shall not be occupied until:

- a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which

demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed water efficiency calculation must be installed before first occupation and retained thereafter;

- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E14 of the Pre-Submission Havant Borough Local Plan 2036.

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

Drg no. 1106R1/100f	Proposed site plan
Drg no. 1106R1/101b	Block and location plan
Drg no. 1106R1/103d	Proposed floor and roof plans
Drg no. 1106R1/104d	Proposed elevations plan
Drg no. 1106R1/105d	Proposed street scene
Drg no. 1106R1/109b	Site section plan
Design and access statement	

Reason: - To ensure provision of a satisfactory development.

22 APP/19/00657 - 80 Bedhampton Road, Havant, PO9 3EZ

Proposal: Single detached garage

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

RESOLVED that application APP/19/00657 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:

C3344-1/Rev.B - Site Location Plan - Dated 27.07.19
C3344-2/Rev.B - Garage Plan & Elevations - Dated 16.08.19
C3344-3/Rev.C - Block Plan - Dated 13.08.19

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials to be used shall match as closely as possible in type, colour and texture those on the existing dwelling.

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 2018.

The meeting commenced at 5.00 pm and concluded at 5.40 pm

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Chairman