

## **HAVANT BOROUGH COUNCIL**

At a meeting of the Development Management Committee held on 27 July 2017

Present

Councillor Buckley (Chairman)

Councillors Keast, Patrick, Satchwell, Davis (Standing Deputy), Lloyd and Quantrill (Standing Deputy)

### **27 Apologies for Absence**

Apologies for absence were received from Cllr Hughes and Perry

### **28 Minutes**

RESOLVED that the minutes of the previous meeting held on 29 June 2017 were approved as a correct record and signed by the Chairman.

### **29 Matters Arising**

There were no matters arising

### **30 Site Viewing Working Party Minutes**

The minutes from the Site Viewing working party, tabled in supplementary information, were received.

### **31 Declarations of Interest**

There were no declarations of pecuniary interest relating to matters on the agenda.

### **32 Chairman's Report**

The Chairman advised that a Development Consultation forum was scheduled to take place on 22<sup>nd</sup> August regarding the BaE site in Waterlooville and members of the Development Management Committee should make every effort to attend. It was also advised that notes from the most recent training session would be circulated by officers.

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

There were none.

### 34 Deputations

The following deputation requests were noted by the Committee:

- 1) Ms. Zarina Jobbins – (APP/17/00388) 128-130 Sea Front, Hayling Island
- 2) Cllr Leah Turner – (APP/17/00388) 128-130 Sea Front, Hayling Island
- 3) Mr Buckingham – (APP17/17/00352) Former Site of 1 Hawthorne Grove, Hayling Island
- 4) Cllr J Perry - (APP17/17/00352) Former Site of 1 Hawthorne Grove, Hayling Island
- 5) Dr Sam Cope – (APP/17/00342) Foreshore at South Hayling Island.

### 35 APP/17/00388 - 128-130 Sea Front, Hayling Island, PO11 9HW

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

The Committee was addressed by the following deputees:

- 1) Ms. Zarina Jobbins who objected to the proposal for the following reasons:
  - a. The proposal would limit the already minimal amount of light available to her property to an unacceptable extent.
  - b. The distances given in the officer's report between the properties was inaccurate and misleading – the properties were much closer than reported.
  - c. The proposal was unacceptable by way of its dominating and oppressive design.
  - d. The design of the proposal was out of character with the rest of the area.
  - e. The proposal was described as a 3 storey building, however it should be regarded as a 4 storey building.
  - f. The health and wellbeing of local residents would be significantly detrimentally affected by the proposal.

In response to questions raised by the committee Ms Jobbins advised why she had disputed the measurements quotes in the officers report and how she had achieved her own measurements.

- 2) Cllr Leah Turner, who objected to the proposal for the following reasons:
  - g. The neighbouring properties located in the Sanderlings were already significantly detrimentally affected by other large buildings in the area. The proposal would only cause greater impact on these properties.

- h. Previous applications submitted to the Council had been refused due to their height and bulk and this new proposal did not appear much different.
- i. The proposal should be refused, quoting model reasons for refusal R26, R27 & R28. The significant loss of light to properties in the Sanderlings was unacceptable.
- j. Whilst the proposal had been reported to have an acceptable separation distance to existing dwellings, the perception of being overlooked was still prevalent and should be considered.

In response to questions raised by the Committee, officers advised that:

- A firm of chartered architects had taken measurements of the area and the reporting officer was satisfied that appropriately qualified professionals had drawn the plans.
- The distances quotes in the officers report were from the north elevation
- All windows on the lift enclosure and top floor were obscure glazed and non-opening
- Officers were satisfied that the impact the proposal would have on light was acceptable with regard to existing neighbouring dwellings.

The Committee discussed the application in detail together with views raised by the deputees. During the course of debate the following points were raised:

- The north elevation would be in-keeping with the street scene and would have a positive impact on the street scene.
- The impact on light was minimal and was acceptable in planning terms.
- The design of the proposal had sought to mitigate any unnecessary impact by use of a mansard style roof, decreasing the impact and dominance of the building.

Members debated the application and whilst some felt the impact on light was too significant the majority of the Committee felt it was acceptable in planning terms and it was therefore

RESOLVED that the Head of Planning Services be authorised to grant permission for application APP/17/00388 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:

Block and Location Plan Drawing No. 15:027: 01 Rev B  
 Proposed Site Plan Drawing No. 15:027:05 Rev E  
 Proposed Floor Plans and Elevations Drawing No. 15:027:03 Rev N  
 Proposed and Existing Street Elevation Drawing No. 15:027:06 Rev L  
 Existing and Proposed Site Sections Drawing No. 15:027:09 Rev A  
 Existing and Proposed Site Sections Drawing No. 15:027:010 Rev A  
 Proposed Shadow Diagrams Drawing No. 15:027:11 Rev A

**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 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. 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 The landscaping works shown on the approved plans Proposed Site Plan Drawing No. 15:027:05 Rev E shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the additional residential units hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

**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.

- 6 No additional residential units 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 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.
- 7 The car parking (including garages), 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.
- 8 The first and second floor balconies hereby approved shall not be brought into use unless and until screens are fitted to the east and west elevations and between balconies with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) to a height of no less than 1.7m above finished floor level, 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.
- 9 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted the following windows:
- West Elevation:  
Second Floor Living Area Window
- North Elevation:  
First Floor Communal Stair/Lift Lobby  
Second Floor 2 x Utility, 2 x Store and Communal Stair/Lift Lobby
- (All as shown on Proposed Floor Plans & Elevations Drawing No. 15:027:03 Rev N)
- 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.
- 10 The additional residential units hereby permitted shall not be occupied unless and until full details and specifications of the proposed bin and cycle stores have been submitted to and approved in writing by the Local Planning Authority. The bin and cycle stores shall thereafter be provided prior to

occupation and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that appropriate bin storage is provided and in the interests of providing sustainable transport options having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy 2011 and the National Planning Policy Framework.

### 36 APP/17/00352 - Former site of 1 Hawthorne Grove, Hayling Island

The Committee considered the written report, in addition to supplementary information, and recommendation for the Head of Planning Services to grant permission. The Committee was addressed by the following deputies:

- 1) Mr Buckingham, speaking on behalf of Ms Liz Tester, who objected to the proposal for the following reasons:
  - a. The proposal would regularise the disruptive nature of the speed ramp, having a negative impact on quality of life
  - b. The speed ramp had caused demonstrable harm to the neighbouring property by way of vibration, noise, speed, danger and damage to the building.
- 2) Cllr Perry who objected to the proposal for the following reasons:
  - c. set out in Appendix A

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

- Council Officers would investigate the discharge of conditions for planning consent.
- The location and design of the ramp was due to protection of a nearby Root Protection Zone and to assist in traffic calming measures.

The Committee discussed the application in detail together with views raised by the deputies. The Committee discussed the location of the speed ramp and local buildings and the potential impact it had on neighbouring properties. Throughout debate members agreed that the ramp was acceptable in planning terms and found no reasons for refusal. It was therefore

RESOLVED that the Head of Planning Services be authorised to grant permission for application APP/17/00352 subject to the following condition:

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

Drwg. No. 4159/01 Rev H - Engineering Layout

Drwg. No. 4159/15 Rev C – External Works Layout

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

### 37 APP/17/00342 - Foreshore at South Hayling, Sea Front, Hayling Island

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

The Committee was addressed by the following depute:

1) Dr Sam Cope who supported the proposal for the following reasons:

Set out in Appendix B

In response to questions from the committee, Dr Cope advised:

- There would be no damage to local points of interest such as Winner Bank.
- The process was relatively short lasting between 2-4 weeks.
- Any local concerns would be carefully managed and there would be minimal impact on residents and access to the beach.

The Committee discussed the application in detail together with views raised by the depute. Through the course of the debate members agreed that the proposal would make a positive contribution to the Hayling Island Sea Front and was in the best interests of members of the public as it would maintain safety and help to reduce risks of flooding. It was therefore

RESOLVED that

- (A) the Development Management Committee, as 'competent Authority' for the purposes of an Appropriate Assessment under Regulation 81 of the 2010 Habitats Regulations, adopts the Appropriate Assessment at Appendix C of the officer's report which concludes that the proposed development would not have a significant effect on the European site subject to appropriate mitigation & conditions as detailed in Appendix C, including Table 1; and
- (B) the Head of Planning Services be authorised to grant permission for application APP/17/00342 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:
- BEACH MANAGEMENT PLAN - NON TECHNICAL SUMMARY - REVISION 1.0  
ENVIRONMENTAL STATEMENT - BEACH MANAGEMENT PLAN - REVISION 1.0  
ENVIRONMENTAL STATEMENT APPENDICES - BEACH MANAGEMENT PLAN - REVISION 1.0  
HABITATS REGULATIONS ASSESSMENT REVISION 1.0  
PLANNING STATEMENT - BEACH MANAGEMENT PLAN REVISION 1.0  
WATER FRAMEWORK DIRECTIVE ASSESSMENT REVISION 1.0  
AERIAL BOUNDARY PLAN  
**Reason:** - To ensure provision of a satisfactory development.
- 3 Development shall proceed in accordance with the ecological avoidance and mitigation measures detailed within the Hayling Island Beach Management Plan Environmental Statement and Hayling Island Beach Management Plan Habitats Regulations Assessment (ESCP, March 2017) unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be implemented in strict accordance with the agreed details.  
**Reason:** To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011
- 4 The activities hereby permitted shall only take place between 06.00 - 22.00 hours on Mondays - Fridays and not at all on weekends and all recognised Public Holidays.  
Except for :
- I. the discharging of dredged material from the hopper barges (rainbowing) which can take approximately 2 hours either side of high tide over any 24 hour period
  - II. And if emergency works are required, which need to take place as and when necessary.
- Reason:** To limit the impacts on neighbouring properties, the highway network and features of ecological importance in the area in accordance with policies CS11 and CS16 of the Havant Borough Core Strategy 2011
- 5 Development shall proceed in accordance with the submitted Construction Environmental Management Plan (CEMP) (ESCP, May 2017) for the September 2017 programme unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be implemented in strict accordance with the agreed details.  
**Reason:** To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.



- 6 Prior to the commencement of each phase/campaign of development activities a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of all avoidance and mitigation measures in relation to ecological features, to be informed by ongoing survey and monitoring works. In addition it will identify how works will comply with the requirements of the Bathing Waters Directive, to ensure that the works are acceptable and will not have an impact on the Water Framework Directive Bathing Water Protected Area.
- Reason:** To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

### **38 Appointment of Chairman**

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

**The meeting commenced at 5.00 pm and concluded at 7.20 pm**

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**Chairman**