

## **HAVANT BOROUGH COUNCIL**

At a meeting of the Development Management Committee held on 13 December 2018

Present

Councillor Buckley (Chairman)

Councillors Crellin (Standing Deputy), Howard, Keast, Lloyd and Patrick

Other Councillors Present:

Councillor(s): Cresswell, Bowerman and Hughes

### **65 Apologies for Absence**

Apologies for absence were received from Councillors Satchwell and Lowe.

### **66 Minutes**

RESOLVED that the minutes of the meeting of the Development Management Committee held on 18 October 2018 were agreed as a correct record and signed by the Chairman.

### **67 Matters Arising**

There were no matters arising.

### **68 Site Viewing Working Party Minutes**

The minutes of the Site Viewing Working Party held on 6 December 2018 were received.

### **69 Declarations of Interest**

There were no declarations of interest.

### **70 Chairman's Report**

There were no matters that the Chairman wished to report to the Committee.

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

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

### **72 Deputations**

The Committee received the following deputations:

- (1) Dr Mason – APP/18/00929 – Southdown View, Long Copse Lane, Emsworth;
- (2) Mr Poirrier – APP/18/00929 – Southdown View, Long Copse Lane, Emsworth;
- (3) County Councillor Ray Bolton – APP/18/00929 – Southdown View, Long Copse Lane, Emsworth; and
- (4) Councillor Rivka Cresswell\* – APP/18/00929 – Southdown View, Long Copse Lane, Emsworth.

\* Councillor Lulu Bowerman made the deputation on behalf of Councillor Rivka Cresswell.

### **73 APP/18/00929 - Southdown View, Long Copse Lane, Emsworth**

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

Proposal: Change of use of the site to a mixed use comprising private equestrian yard and siting of additional 1No mobile home to enable a total of 2No mobile homes on site for private gypsy and traveller site. Provision of a further 2 additional car parking spaces to allow a total of 4 car parking spaces on site and retention of touring caravan space.

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 of the following:

- Amended Location Plan, Approved and Proposed Block Plan, and an updated recommendation;
- Confirmation as to ownership of the grass verge on Long Copse Lane to the south of the application site; and
- Details of written objections to the application.

The Committee was addressed by the following deputees:

a) Dr Mason, who objected to the application for the following reasons:

- 1) The application would be contrary to Policy CS10 of the Havant Borough Local Plan (Core Strategy);
- 2) The application would dominate the neighbouring rural settlements (which is contrary to guidance in the Planning Policy for Traveller Sites (August 2015)); and

- 3) The status of the applicant as a gypsy for the purposes of planning policy was uncertain.
- b) Mr Poirrier, who objected to the application for the following reasons:
- 1) The applicant did not meet the criteria for a gypsy or traveller in planning law.
- c) County Councillor Ray Bolton, who objected to the application for the following reasons:
- 1) The application would be unsympathetic to the character of the local area, and lead to an unacceptable increase in the building footprint of the location;
  - 2) The application would have a detrimental impact upon the visual amenity of the rural area; and
  - 3) There was no need for a further pitch at the site given the availability of pitches in Westbourne Parish.

Councillor Bolton also raised concerns on behalf of Westbourne Parish Council, who objected to the application for the following reasons:

- 1) The application would have a detrimental impact upon the Westbourne Parish area; and
  - 2) The application would have a negative impact upon the rural character of the area.
- d) Councillor Lulu Bowerman on behalf of Councillor Rivka Cresswell, who objected to the application for the following reasons:
- 1) The application would lead to an over-development of the site that would not be in-keeping with the rural character of the area; and
  - 2) The local highway network would not be able to cope with the impact of the additional traffic.

Councillor Bowerman recommended that the Committee refuse the application for the following reason:

*'The site lies within a rural area and the siting of the caravans in the countryside would be detrimental to the rural character and to the visual amenity of the area. The proposal is therefore contrary to policies CS16, CS17 and DM4 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.'*

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

- 1) The applicant had complied with Condition 1(i) of Appeal Decision Reference APP/X1735/W/16/3156978;
- 2) Retrospective Planning Permissions had been granted to the applicant in relation to this site on two occasions;
- 3) The Gypsy Liaison Officer had been commissioned by Havant Borough Council to provide confirmation on the status of the applicant and had concluded that the applicant is of Gypsy and Traveller status as required for planning purposes;
- 4) Any potential future application for the siting of mobile homes within the Borough would be considered on their own merits; and
- 5) No objection had been received from Chichester District Council or from Natural England.

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

During the debate, concern was raised that the application would contravene Condition 3 of the Appeal Decision APP/X1735/W/16/3156978. Officers advised however that this did not apply to subsequent applications and there was now an increased level of need for a pitch within the Borough.

Some members of the Committee considered that the application would have a detrimental impact upon the character and visual amenity of the area. However, officers advised that the Planning Inspectorate had previously set out that a similar application was not contrary to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy).

At the request of the Committee, officers confirmed that as the need for an additional pitch within the Borough had been identified, previous appeal decisions showed that it would be difficult to justify a refusal for this application, if the applicant were to appeal such a decision.

Some members of the Committee considered that the application would not dominate the local area and that this would meet the identified need for the provision of an additional pitch within the Borough. The majority of the Committee expressed concerns however that the application would have a detrimental impact upon the character and visual amenity of the local area. It was therefore

RESOLVED that Application APP/18/00929 be refused for the following reason:

- 1 The site lies within a rural area where the stationing and use of additional individual caravans for residential purposes is contrary to the policies of the Local Planning Authority and represents a form of development which is likely to be detrimental to the rural character and to the visual amenity of the area and the amenities of conventional residential properties in the vicinity. The proposal is therefore contrary to policies CS11, CS16 and CS17 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL2 of the Havant Borough Local Plan (Allocations) 2014, Paragraph 26 of the Planning Policy for Traveller Sites 2015 and the National Planning Policy Framework 2018.

**The meeting commenced at 5.00 pm and concluded at 6.07 pm**

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**Chairman**