

## **HAVANT BOROUGH COUNCIL**

At a meeting of the Development Management Committee held on 16 May 2019

Present

Councillor Satchwell (Chairman)

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

Other Councillors Present:

Councillor(s): Bowerman, Carpenter, Pike, Scott and Wilson

### **92 Apologies for Absence**

Apologies for absence were received from Councillor Lowe

### **93 Minutes**

RESOLVED that the minutes of the meeting of the Development Management Committee held on 28 March 2019 were agreed as a correct record and signed by the Chairman.

### **94 Declarations of Interest**

There were no declarations of interest.

### **95 Site Viewing Working Party Minutes**

The minutes of the Site Viewing Working Party held on 9 May 2019 were received.

### **96 Chairman's Report**

The Chairman reminded the Committee that a Development Consultation Forum relating to proposals for Langstone Technology Park was scheduled for Tuesday 21 May, and encouraged members to attend.

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

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

### **98 Deputations**

The Committee received the following deputations:

- i) Mr Cable – APP/18/01228 – Stoke Farm, Northwood Lane, Hayling Island;

- ii) Mrs North – APP/18/01228 – Stoke Farm, Northwood Lane, Hayling Island;
- iii) Councillor Issy Scott – APP/18/01228 – Stoke Farm, Northwood Lane, Hayling Island; and
- iv) Councillor Michael Wilson – APP/18/01228 – Stoke Farm, Northwood Lane, Hayling Island.

**99 APP/18/01228 - Stoke Farm, Northwood Lane, Hayling Island, PO11 0LR**

Proposal: Change of use to a mixed use of agricultural and logging/timber business with timber processing taking place in north west corner of site only (revised application).

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

The Committee was addressed by the following deputies:

- a) Mr Cable, who objected to the application for the following reasons:
  - 1. The noise created by the logging business had resulted in an unacceptable impact upon his health and well-being and caused him distress in his own residence;
  - 2. The increased use of the site had resulted in a rise in the number of lorry deliveries that were not suitable for the rural profile of the location;
  - 3. The proposed noise mitigation measures were insufficient;
  - 4. Several attempts to work with the applicant to source a suitable resolution had been rejected; and
  - 5. Temporary permission over a 12-month period should be given, as this would allow further noise assessments to be undertaken to fully measure the resulting noise created.
- b) Mrs North, who supported the application for the following reasons:
  - 1. The site was an established local farm with regular accompanying agricultural activities, some of which resulted in noise that was not restricted to certain hours;
  - 2. There was an economic need for diversification to allow the farm business to be financially sustainable;
  - 3. The application was not seeking to expand the business;
  - 4. Delivery of supplies was considered acceptable for the location;

5. The siting of activities had been moved to the northwest of the premises to reduce the noise impact upon properties to the east of the site; and
  6. The alternative noise assessment undertaken did not represent a true account of the noise from the site.
- c) Councillor Scott, who objected to the application for the following reasons:
1. Environmental Health Officers had previously raised objections to this application and only predictive noise assessments had been considered in the revised application; and
  2. A 12-month trial period was required to allow full noise investigations to be undertaken and to establish whether the noise will adversely impact upon the area and its residents.
- d) Councillor Wilson, who supported the application for the following reasons:
1. Any refusal or temporary permission would result in an adverse impact upon the financial sustainability of Stoke Farm;
  2. No complaints had been received in the previous seven years when operations had been underway;
  3. A solution had been found to mitigate noise impact to the satisfaction of Environmental Health Officers;
  4. The revised application had received support from local residents; and
  5. The application should be granted full permission, with the use of Environmental Health powers to regulate the impact of noise from the site.

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

- The sound proofing undertaken within the North Barn had not been formally submitted to Environmental Health Officers for assessment.
- The main source of noise was the chainsaw equipment used as part of the logging business.
- Officers were recommending that only Mr North be permitted to undertake any process in connection with the logging business to regulate the scale of the operation. The passing of the business to another named person could be dealt with via a variance to any resolved planning permission.

- The initial noise assessment had been undertaken with unattended noise equipment and handheld equipment with a noise assessor. The second noise assessment had been mathematically extrapolated from the initial results to provide readings for the revised location.
- The distance between the original site and Molandi was approximately 20 metres, while the proposed revised site was approximately 30 metres from Molandi.
- A noise assessment only offers a 'snapshot' of noise produced by on-site activities. A 12-month period would allow for a full assessment to be undertaken.
- A temporary permission could be granted for any reasonable time period.

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

During the debate, some members of the Committee viewed that a temporary permission should be granted to allow for full noise assessments to be carried out.

Other members were however minded to grant full permission, as noise assessments could be undertaken going forward and the powers of Environmental Health could be used to regulate the impact of noise.

A majority of the Committee were therefore minded to grant full permission and after a casting vote, it was:

RESOLVED that the Head of Planning be authorised to grant permission for application APP/18/01228 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 This permission shall enure for the benefit of Mr Graham Alan North only and no other person shall undertake any process in connection with the hereby approved Class B2 logging use, and the use hereby permitted shall be discontinued on the date when Mr Graham Alan North ceases to operate the logging business.  
**Reason:** To limit the scale of the business in the interest of the quiet amenity of neighbouring residents, and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The B2 logging use hereby permitted shall be only carried out in full accordance with the following approved plans and shall not take place outside the areas shown on the approved block plan:
- Location Plan Drawing No SC/North/01 Rev 1  
Block Plan Drawing No SC/North/02 Rev 1 on Council's website dated 19 February 2019  
Tree Plan Drawing No SC/North/02 Rev 2 on Council's website dated 05 March 2019  
**Reason:** - To ensure provision of a satisfactory development.
- 4 The works associated with the processing of logs on the site (including delivery of raw wood, stacking, use of hand held chain saw, firewood processor and conveyor powered by the tractor and use of tractor and bucket to move split logs onto delivery vehicle) shall only take place between Monday to Friday: 09.00 to 17.00 and Saturday: 09:00 to 13.00 with no operations taking place on any Sunday or Bank / Public Holiday.  
**Reason:** To protect the amenities of nearby residential properties 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 There shall be no more than 20 deliveries of raw logs to the site per year (1st June to 31st May) and each delivery shall not exceed 30 tonnes. The invoices shall be kept available for inspection by the Local Planning Authority upon request in order to verify compliance.  
**Reason:** To limit the scale of the business in the interest of the quiet amenity of neighbouring residents, and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 The existing hedge on the eastern boundary of the site shall be retained at all times at a minimum height of 3m.  
**Reason:** To provide noise mitigation to protect the amenities of the occupiers of the adjacent residential property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 Notwithstanding the hereby approved Block Plan and Tree Plan, the RSJ's shown to protect the eastern boundary shall not be inserted into the ground at any time and shall remain as free-standing structures that shall not exceed 3m in height.  
**Reason:** To protect the health of the adjacent TPO'd tree and in the interests of the visual amenity of the occupier of the adjacent residential property, having due regard to policies CS16, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 An Arboricultural Method Statement and detailed plan for the no dig surfacing to be used on the area encroaching beyond the existing concrete hard surfaced area shall be submitted to and approved by the Local Planning Authority within one month of the date of this permission. The approved details shall thereafter be implemented in full and in accordance with the approved details before the area is first used for storage.

**Reason:** To safeguard the continued health of the TPO'd tree having due regard to policies CS11, CS16 and DM8 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**