

ADDENDUM

DEVELOPMENT MANAGEMENT COMMITTEE
DATE 29th August 2019

Item 8 (1)

Land at Forty Acres Farm, Havant Road, Havant

Updated 28th August 2019.

Updates

5 Additional Consultee Responses

Network Rail – No Objection

7 Planning Considerations

It has been drawn to the attention of the Local Planning Authority of an inaccuracy in the Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment (AA). The matter refers to the delivery and timing of the bird refuge Area, as outlined in stage 3 under the heading of loss / degradation of supporting habitats. The current AA identifies that “*The mitigation measures will be secured prior to the first over-wintering season following the commencement of development on the site*”. The applicant has confirmed, and intends to deliver, the winter bird refuge prior to development, as outlined in paragraph 4.1 of the August 2019 Winter Bird Strategy, this is earlier than anticipated in the AA. These controls will be secured through both a legal agreement and relevant planning conditions.

Given this situation the Local Planning Authority, as Competent Authority, have amended the AA, to include the following amendment “**Prior to the commencement of development on site, the mitigation area will be made available for use by wintering birds**”. The revised AA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment.

Matters Raised by Site Viewing Working Party

a) Options to reduce the time limit for commencement of works?

Members wanted to understand that in order to ensure the delivery of new houses, whether the proposed time period for commencement of this application could be shortened, if planning permission were to be granted.

Officers are of the view that given the complexity of this scheme, which requires many pre-commencement conditions and obligations to be satisfied, and which would require further consultation with external and internal consultees, a three-year commencement date for this application is appropriate.

The applicant has outlined that it is their preference to commence development on the site as soon as reasonably practicable. However, in order to ease the concerns

raised by members, Barratt David Wilson Homes would accept a reduction in the timeframe for commencement to 2 years as opposed to the standard 3 years.

The Committee are therefore invited to debate this matter with these considerations in mind.

- (b) Clarification of site levels; and the relationship between existing properties on the East side of Westways with the proposed development.

The proposed levels strategy for the site remains, however the proposed sectional drawing with Westways misrepresented the existing ground level of the site. As such, the proposed sectional levels sections had the effect of exaggerating the proposed level changes from the proposed development. Corrected sectional drawings with Westways have now been received, this plan shows that the degree of land raising is to be less than as previously outlined in the officer's report, in relation to levels adjacent to the residential properties in Westways. For clarity paragraphs 7.93, 7.94 and 7.96 have been amended below to reflect these changes. In addition, revised appendices A and B are included in this report, which amend appendices E and F of the main report.

Impact on amenities of 5-19 Westways

7.93 *The first aspect of the residential element to be considered is the impact of the development on 5-19 Westways. The application proposes units 21-28, to lie to the east of these properties. Units 21-28 are proposed to be two storey dwellings, which have a ridge height of 8.5 metres and eaves height of 5.25 metres, and are to be located at the rear of these neighbouring properties. At this point the proposed ground levels are at points, being decreased by approximately 0.2m for units 23 and 24, which are behind 13 and 15 Westways. The proposed ground level changes for units 27 and 28, which are behind 17 and 19 Westways, will see the ground level being increased by approximately **0.72 metres**. All of these proposed units have distances to the shared boundary with Westways ranging from a minimum of 11.5 metres to 13.5 metres. The proposed back-to-back distances from the rear elevations of the proposed and existing properties ranges from a minimum separation of approximately 30 metres to 33 metres. The Havant Borough Council Design Guide recommends a minimum back to back separation distance of 20 metres. Whilst it is accepted that the adjoining owners will have lost the open aspect currently experienced. It is considered that these are adequate separation distances between the existing and proposed dwellings and that there would be no significant loss of amenity to existing residents.*

Impact on amenities of 17-35 Westways

7.94 *The application proposed units 29-35 to be located behind these properties. These, are two storey dwellings, which have a ridge height of 8.5 metres and eaves height of 5.25 metres, and are to be located at the rear of these neighbouring properties. The ground levels are proposed to be increased gradually (which will form the gardens for the new dwellings) from the western boundary, which is shared with Westways, increasing in height towards the location of proposed dwellings themselves, where the land will then be levelled off. The increase in levels at this point, from the existing, varies due to the changing topography, with the largest increase in levels being at plot 33, which is behind 29 Westways, which is approximately 2.1 metres. The levels elsewhere in the vicinity are proposed to be raised between 1.7 metres and 1.8 metres. These proposed units have distances to the shared boundary with Westways ranging from a minimum of 16.5 metres to 20*

metres. The proposed back-to-back distances from the rear elevations of the proposed and existing properties ranges from a minimum separation of approximately 31 metres to 33 metres.

Impact on amenities of 37-39 Westways

7.96 *The application proposes units 36-38, which form a terrace to be located perpendicular to these properties. Unit 38 is proposed to be located adjacent to the boundary, with the side elevation, which has no windows proposed, being located a minimum of approximately 6.5 metres from the boundary and approximately 23 metres to the rear elevations of 37 and 39 Westways. The depth of this side (west) elevation will be approximately 8.5 metres, have a ridge height of 8 metres and eaves height of 4.75 metres. The increase in levels at this point, from the existing, is approximately **1.57 metres**. As highlighted above, following discussions with the applicant, this boundary would have the benefit of the landscape buffer, which would help soften and filter views of the development. The Havant Borough Council Design Guide recommends a minimum flank to side separation distance of 10 metres, which is significantly exceed in the application proposals.*

The Local Planning Authority have re-consulted properties on the eastern side of Westways, who are adjacent to the site for a seven-day period, expiring on Friday 30th August. This is to ensure that residents can have time to consider this additional information. As such an amended recommendation is proposed that any permission is only granted in consultation with the Chairman following the expiry of the publicity period associated with the revised level plans, subject to there being no new material planning considerations raised. This is outlined in full below.

In addition, an amended condition 2 is proposed to reflect the revised plan, together with a further levels verification report requirement condition to ensure that the development is built in accordance with the approved levels strategy.

(c) details on the road movements, tonnage, duration, materials and source of materials relating to the proposed infill.

The applicant has provided further information which details that the material would be sourced from the applicant's development site at Berewood, Waterlooville. It has been outlined that approximately up to 80,000m³ of material are required for the construction works and materials for road construction. This amount of material is required to ensure that the finished floor levels are to be a minimum 300mm above a 1 in 200-year flood event, including an allowance for climate change. As such this requires a minimum floor level of 4.7 Above Ordnance Datum (AOD), which this proposal does achieve.

In terms of the details of road movements and duration, the applicant is currently considering this matter and will be able to provide an update at the committee meeting. Notwithstanding the above, a full Construction Traffic Management Plan is required by proposed by condition 21, which would control such matters to ensure that the construction of the development has regard to highway safety, which would be subject to consultation with the Highway Authority, to ensure the development does not have a significant impact on the safety or function of the highway network.

- (d) Clarification from the applicant over whether it would be acceptable to remove the pedestrian access to Westways and the effect on the site as a whole if it were to be removed.

The applicant has provided a response to this query, that the pedestrian link with Westways provides permeability with the surrounding area and provides pedestrians with an alternative to having to use the proposed footways on Havant Road, which is a highly trafficked road. The impact of this proposed pedestrian access is also considered in the officer's report at paragraph 7.116. The applicant's representative will be making a deputation at the committee and members will be able to ask questions to consider this matter further.

9. REVISED RECOMMENDATION

In order to take into account the amendments outlined above, the recommendation set out on pages 78-93 of the officers' report is proposed to be varied as follows:

That the Head of Planning be authorised to GRANT PERMISSION for application APP/18/00450, in consultation with Chairman of the Development Management Committee, subject to

- (A) Expiry of the publicity period associated with the revised level plan on 30/8/19, subject to there being no new material planning considerations raised;**
- (B) a Section 106 Agreement as set out in paragraph 7.152 of the officers' report; and**
- (C) The conditions as set out in the Committee report amended and supplemented as follows (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision):**

Condition 2

The levels section plan has been amended, which has updated the landscape proposals and so the condition should now refer to:

Proposed level sections LS-06 P1

D2434 L. 123 Rev 06

D2434 L. 124 Rev 03

D2434 L. 127 Rev 06

D2434 L. 101 Rev 09

Condition 29 (additional)

Prior to the commencement of any dwellings on site, a verification report demonstrating that the level changes across the site, as identified in the level strategy plans: Proposed level sections LS-06 P1, BSO-E4519-007-G- Sheet 1, BSO-E4519-008-F- Sheet 2 and BSO-E4519-009-G- Sheet 3, have been carried out in accordance with the approved plans shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of occupiers of nearby properties in Westways having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) and the National Planning Policy Framework.