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DEVELOPMENT MANAGEMENT COMMITTEE AGENDA

Membership: Councillor Satchwell (Chairman)

Councillors Mrs Shimbart (Vice-Chairman), Crellin, Howard, Keast, Lloyd and Lowe

Meeting: Development Management Committee

Date: 18 July 2019

Time: 5.00 pm

Venue: Hurstwood Room, Public Service Plaza, Civic Centre Road,
Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Nick Leach
Monitoring Officer

9 July 2019

Contact Officer: Lisa Papps 01730 234073
Email: lisa.papps@easthants.gov.uk

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PART A - (Items Open for Public Attendance)

1 Apologies for Absence

To receive and record apologies for absence.

2 Minutes

1 - 6

To approve the minutes of the Development Management Committee held on 16 May 2019.

3 Declarations of Interest

To receive and record declarations of interests from members present in respect of the various matters on the agenda for this meeting.

4 Chairman's Report

The Chairman to report the outcome of meetings attended or other information arising since the last meeting of the Committee.

5 Matters to be Considered for Site Viewing and Deferment

The Committee are invited to consider any matters they wish to recommend for site viewing or deferment.

6 Deputations

To receive requests to make a deputation to Committee.

7 Applications for Development and Development Control Matters 7 - 10

Part 1 - Applications Viewed by the Site Viewing Working Party

None

Part 2 - Applications Submitted by Havant Borough Council or Affecting Council Owned Land

7(1) APP/19/00479 - Front Lawn Recreation Ground, Somborne Drive, Havant 11 - 24

Proposal: Extension of time of use of floodlights for Artificial Grass Pitch and Multi Use Games Area by 30 minutes to 22:00 hours.

Associated Documents - <https://tinyurl.com/y43ychos>

Part 3 - All Other Applications for Development

7(2) APP/19/00477 - 2 Montreal Drive, Waterloo, PO7 5FE 25 - 34

Proposal: Proposed rear extension.

Associated Documents - <https://tinyurl.com/y6g3kap9>

Part 4 - Enforcement and Other Development Control Matters

None

PART B (Confidential Items - Closed to the Public)

None

GENERAL INFORMATION

IF YOU WOULD LIKE A VERSION OF THIS AGENDA IN LARGE PRINT, BRAILLE, AUDIO OR IN ANOTHER LANGUAGE PLEASE CONTACT DEMOCRATIC SERVICES ON 023 92 446 233

Internet

This agenda and its accompanying reports can also be found on the Havant Borough Council website: www.havant.gov.uk. Would you please note that committee reports are subject to changes and you are recommended to regularly check the website and to contact *Lisa Papps (tel no: 01730 234073)* on the afternoon prior to the meeting for details of any amendments issued.

Public Attendance and Participation

Members of the public are welcome to attend the Public Service Plaza and observe the meetings. If you wish to address the Committee on a matter included in the agenda, you are required to make a request in writing (an email is acceptable) to the Democratic Services Team. A request must be received by 5pm on **Tuesday, 16 July 2019**. Requests received after this time and date will not be accepted

In all cases, the request must briefly specify the subject on which you wish to speak and whether you wish to support or speak against the matter to be discussed. Requests to make a deputation to the Committee may be sent:

By Email to: lisa.papps@easthants.gov.uk or DemocraticServices@havant.gov.uk

By Post to :

Democratic Services Officer
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

Delivered at:

Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

marked for the Attention of the "Democratic Services Team"



Havant

BOROUGH COUNCIL

PROTOCOL AT MEETINGS – RULES OF DEBATE

Rules of Debate

- Councillors must always address each other as “Councillor ...” and must always address the meeting through the Chairman
- Councillors may only take part in the debate if they are present at the meeting: video conferencing is not permissible
- A member of the Committee may not ask a standing deputy to take their place in the Committee for part of the meeting
- The report or matter submitted for discussion by the Committee may be debated prior to a motion being proposed and seconded. Recommendations included in a report **shall not** be regarded as a motion or amendment unless a motion or amendment to accept these recommendations has been moved and seconded by members of the Committee
- Motions and amendments must relate to items on the agenda or accepted by the meeting as urgent business
- Motions and amendments must be moved and seconded before they may be debated
- There may only be one motion on the table at any one time;
- There may only be one amendment on the table at any one time;
- Any amendment to the motion can be moved provided it is (in the opinion of the Chairman) relevant to the matter under discussion. The amendment can be a direct negative of the motion.
- The mover with the agreement of the seconder may withdraw or alter an amendment or motion at any time
- Once duly moved, an amendment shall be debated along with the original motion.
- If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion on which any further amendment may be moved.
- If an amendment is rejected different amendments may be proposed on the original motion or substantive motion.
- If an amendment is lost, other amendments may be moved to the original motion or substantive motion
- If an amendment is lost and there are no further amendments, a vote will be taken on the original motion or the substantive motion
- If no amendments are moved to the original motion or substantive motion, a vote will be taken on the motion or substantive motion
- If a motion or substantive motion is lost, other motions may be moved

Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the

item;

- An amendment must be voted on before the motion
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- A Councillor may request that his/her vote be recorded in the minutes

Who To Contact If You Wish To Know The Outcome Of A Decision

If you wish to know the outcome of a particular item please contact the Contact Officer (contact details are on page i of the agenda)

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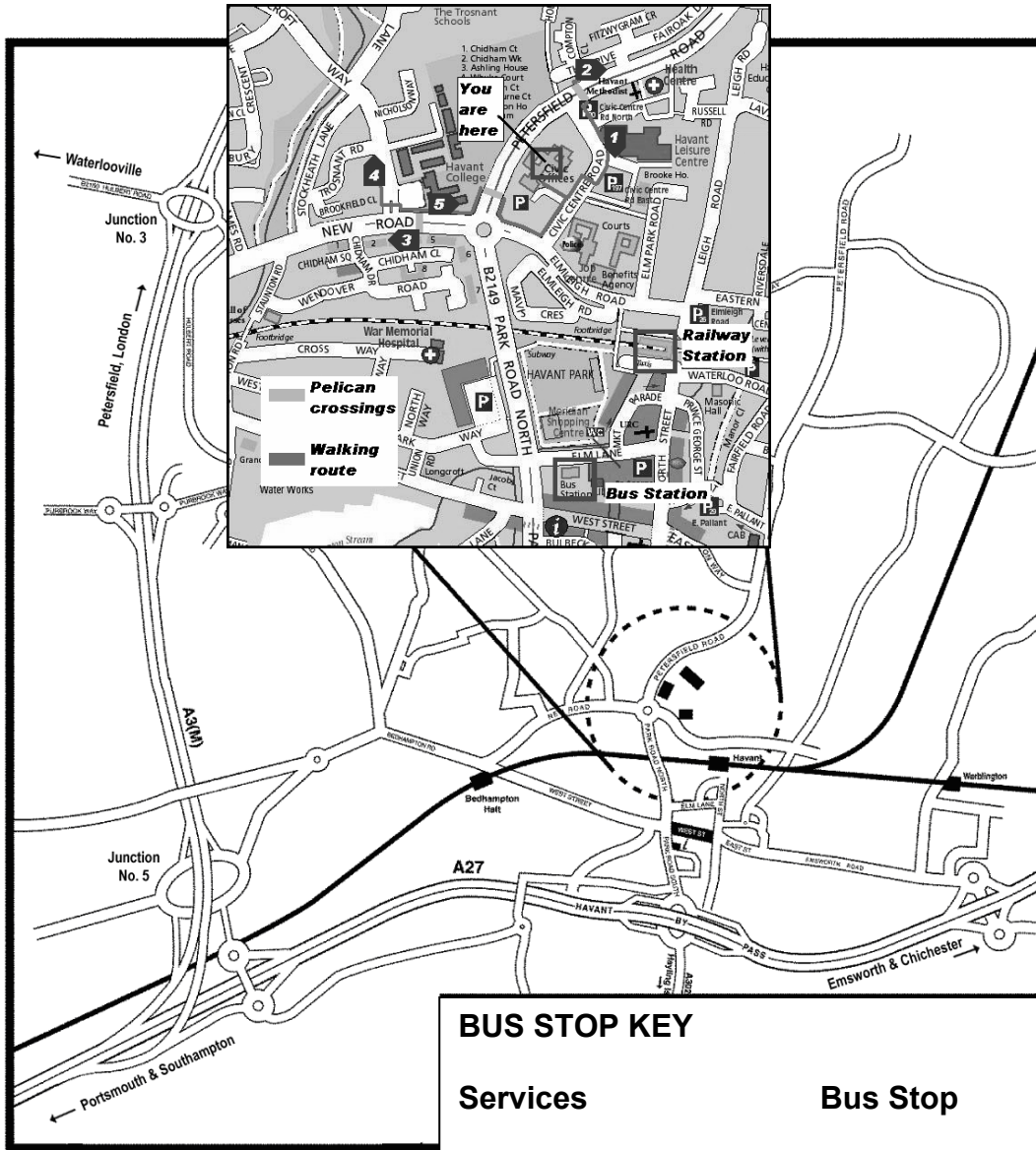
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BUS STOP KEY

Services	Bus Stop
20, 21, 39, 63	1
20, 21, 36**, 39	2
23, 36**	3
23, 27**, 37	4
23, 27**, 36**, 37	5

** - also stops "hail and ride" opposite Stop 1 in Civic Centre Road



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

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 deputees:

- 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

HAVANT BOROUGH COUNCIL

Development Management Committee

APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS REPORT BY THE HEAD OF PLANNING

Applications to be determined by the Council as the Local Planning Authority

Members are advised that all planning applications have been publicised in accordance with the Code of Practice for Publicity of Planning Applications approved at Minute 207/25/6/92, and have been referred to the Development Management Committee in accordance with the Delegation Procedure for Determining Planning Applications 'Red Card System' approved at minutes 86(1)/4/97 and 19/12/97.

All views of consultees, amenity bodies and local residents will be summarised in the relevant report only if received prior to the report being prepared, **otherwise** only those views contrary to the recommendation of the Head of Planning will be reported **verbally** at the meeting of the Development Management Committee.

Members are reminded that all letters received are placed upon the application file and are available for Development Management Committee Members to read on request. Where a member has concerns on such matters, they should speak directly to the officer dealing with the planning application or other development control matter, and if appropriate make the time available to inspect the file and the correspondence thereon prior to the meeting of the Development Management Committee.

The coded conditions and reasons for refusal included in the recommendations are set out in full in the Council's Manual of Model Conditions and Reasons for Refusal. The standard conditions may be modified to meet the specific circumstances of each individual application. Members are advised to bring their copies to the meeting of the Development Management Committee.

In reaching decisions on the applications for development and other development control matters regard should be paid to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Head of Planning, and where applicable the views of the Site Viewing Working Party.

The following abbreviations are frequently used in the officers' reports:

HPS	Head of Planning Services
HCSPR	Hampshire County Structure Plan - Review
HBLP	Havant Borough Local Plan (comprising the adopted Core Strategy 2011 and saved policies from the District Wide Local Plan 2005. A related emerging document is the Draft Allocations Plan 2012)
HWLP	Hampshire, Portsmouth & Southampton Minerals & Waste Local Plan
NPPF	National Planning Policy Framework 2012
HBCCAR	Havant Borough Council Conservation Area Review
AONB	Area of Outstanding Natural Beauty
CA	Conservation Area
LB	Listed Building included in the list of Buildings of Architectural or Historic Interest
SAC	Special Area of Conservation
SINC	Site of Importance for Nature Conservation
SPA	Site identified as a Special Protection Area for the protection of birds under the Ramsar Convention
SSSI	Site of Special Scientific Interest
FP	Definitive Footpath
POS	Public Open Space
TPO	Tree Preservation Order
HBC	Havant Borough Council
GPDO	Town & Country Planning (General Permitted Development) Order
DMPO	Town & Country Planning (Development Management Procedure)(England) Order 2010 amended
UCO	Town & Country Planning (Use Classes) Order
S106	Section 106 Agreement
Ha.	Hectare(s)
m.	Metre(s)

RECOMMENDATIONS

To reach decisions on the applications for development and other matters having regard to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Head of Planning, and where applicable the views of the Site Viewing Working Party.

Implications

Resources:

None unless detailed in attached report.

Legal:

Details set in the individual reports

Strategy:

The efficient determination of applications and making of other decisions under the Town & Country Planning Acts in an open manner, consistent with the Council's planning policies, Regional Guidance and Central Government Advice and Regulations seeks to ensure the appropriate use of land in the public interest by the protection and enhancement of the natural and historic environment; the promotion of the economy; the re-use of existing buildings and redevelopment of 'brownfield' sites; and the promotion of higher densities and good quality design in all new development all of which matters assist in promoting the aims of the Council's Community Strategy.

Risks:

Details set out in the individual reports

Communications:

Details set out in the individual reports

Background Papers:

Individual Applications with Case Officers

Simon Jenkins
Head of Planning

Nick Leach
Monitoring Officer

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Site Address: Front Lawn Recreation Ground, Somborne Drive, Havant
Proposal: Extension of time of use of floodlights for Artificial Grass Pitch and Multi Use Games Area by 30 minutes to 22:00 hours.
Application No: APP/19/00479 Expiry Date: 12/07/2019
Applicant: Richard Wood
 Havant Borough Council
Agent: Case Officer: Lesley Wells
Ward: Battins

Reason for Committee Consideration: Havant Borough Council application

HPS Recommendation: **GRANT TEMPORARY PERMISSION**

1 Site Description

- 1.1 The application site consists of an artificial grass pitch and multi use games area forming part of the Front Lawn recreation ground. The application site has a hard surfaced area to the west with a single storey clubhouse pavilion located adjacent to the southern boundary. Outside of the application site red line is a bowling green and play area, both located to the western edge of the recreation ground. There are a variety of treatments that form the site boundaries, most prevalent are the close boarded fences that mark the rear boundaries of the dwellings that surround the site along with mature vegetation and trees.
- 1.2 To the south of the recreation ground is an access road to the recreation ground and pavilion with the rear gardens of two storey dwellings in Owslebury Grove on the other side of this road. The dwellings are located approximately 9 to 25 m to the shared boundary. To the western boundary of the recreation ground are the two storey dwellings of Somborne Drive and the three storey flats that form Ringwood House. To the eastern boundary are predominantly two storey dwellings in Billy Lawn Avenue, whilst to the north of the site lies Front Lawn Primary Academy and further residential development in High Lawn Way.

2 Planning History

APP/15/01162 - Extension and alterations to pavilion at Front Lawn Recreational Ground, construction of new full size Artificial Turf Pitch, extension and improvements to existing parking area, refurbishment and alterations to existing hard surfaced area to create M.U.G.A (multi use games area) and installation of floodlights. Permitted 18/12/2015.

APP/17/00070 - Variation of Condition 7 of Planning Permission APP/15/01162 relating to car parking provision. Permitted 17/03/2017.

APP/17/00483 - Siting of storage container for storage of football club equipment., Temporary planning permission granted 05/07/2017.

APP/17/00494 - Non-material amendment to Planning Permission APP/15/01162 relating to change of roof material, fenestration amendments and change of materials of windows from brown powder coated aluminium to grey powder coated UPVC., Permitted 26/06/2017.

3 Proposal

Planning permission APP/15/01162 granted planning permission for "Extension and alterations to pavilion at Front Lawn Recreational Ground, construction of new full size

Artificial Turf Pitch, extension and improvements to existing parking area, refurbishment and alterations to existing hard surfaced area to create M.U.G.A (multi use games area) and installation of floodlights". Condition 2 states:

"The floodlights hereby permitted shall not be remain illuminated after hours 21:30 hours.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework."

This proposal seeks to vary condition 2 imposed on planning permission reference APP/15/01162 to extend the use of floodlights for the artificial grass pitch and multi use games area by 30 minutes to 22:00 hours.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS1 (Health and Wellbeing)
CS16 (High Quality Design)
CS7 (Community Support and Inclusion)
DM1 (Recreation and Open Space)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health Manager, Community Group

I have concerns related to this application for the extension of time from 21:30 to 22:00 for the use of the floodlights (and by extension available usage time by players etc) on a daily basis, 7 days a week.

Previous complaints at the beginning of 2018 from residents north and south of the MUGA, related to the use of the floodlights and the pitch past the 21:30 deadline as imposed under Condition 2 of the Decision notice of App/15/01162 dated 18 December 2015.22:00 for the use of the floodlights (and by extension available usage time by players etc) on a daily basis, 7 days a week.

Previous complaints at the beginning of 2018 from residents north and south of the MUGA, related to the use of the floodlights and the pitch past the 21:30 deadline as imposed under Condition 2 of the Decision notice of App/15/01162 dated 18 December 2015.

Condition 2

The floodlights hereby permitted shall not be remain illuminated after hours 21:30 hours.

Reason: *To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and*

the National Planning Policy Framework.

No further complaints were received from these residents once this was rectified. My concerns are that, albeit we have had no further complaints from these particular residents to date, that there is the potential for an increase in complaints of this nature, should the additional half hour be approved.

I would therefore request that should a decision be made to approve this application , that the following condition be included in the decision notice.

Condition 1.

The permission to extend the hours of usage of the floodlights to 22:00 at this facility on a daily basis, will be of a temporary nature and will expire after a 12 month period calculated from the date of this approval.

Thereafter, the permission will revert to those hours permitted originally under Condition 2 of App/15/01162, unless prior written consent of the Local Planning Authority has been obtained in writing for a further period.

Reason: In order for the Council to fully understand and assess the implications and outcomes of such an extension of time, and whether any additional measures require implementation. To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 106

Number of site notices: 3

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
Concerns raised about extending the time the flood lighting would be used, which due to the lighting the pitch can be used throughout the year. Currently the floodlights cause light spillage/pollution in properties and shines into rooms including bedrooms, causing problems with sleep. Extending the usage will extend the problems currently being experienced.	Noted and covered below under heading 7(iii)
Concerns raised about noise generated by people using the pitch, which would continue further into the night.	Noted and covered below under heading 7 (iii)
Concerns likely to be raised by local residents who are presently not happy with the use of the pitch	Noted

Loss of property value.	Not a material planning consideration
It took some time to resolve high levels of light spillage and to accord with the details approved. Notwithstanding, lighting is still a problem.	Noted and covered below under heading 7 (iii)

7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development management criteria.

7.3 As stated above, planning permission was granted on 18 December 2015 under reference APP/15/01162 for "Extension and alterations to pavilion at Front Lawn Recreational Ground, construction of new full size artificial turf pitch, extension and improvements to existing parking area, refurbishment and alterations to existing hard surfaced area to create M.U.G.A (multi use games area) and installation of floodlights." Therefore the principle of floodlights and the use of the artificial grass pitch and multi use games area have already been accepted by the Local Planning Authority.

7.4 The NPPF promotes access to a network of high quality open spaces and opportunities for sport and physical activity as it is important for the health and well-being of communities. This national aim is reflected in policy CS1 of the Core Strategy which seeks to retain and improve open spaces.

(ii) Impact upon the character and appearance of the area

7.5 The six floodlights, which are 8 metres in height, are already in situ, and are seen against a backdrop of mature trees, within and outside of the site. The proposal to extend the use of the floodlights by 30 minutes from 21:30 hours to 22:00 hours, would enable further use of an existing sports pitch which is promoted by local policy and national advice. The impact of an additional 30 minutes of lighting at night on the character and appearance of the area is unlikely to be materially harmful, particularly as the recreation ground lies within an established, street lit, residential area. As such, it is considered that the scheme will accord with the requirement of Core Strategy policies CS1 and CS16.

(iii) Impact upon residential amenity

7.6 When planning permission was granted for the flood lighting, the impact of the scheme on adjacent residential properties was expressly considered and was designed to keep the amount of light spillage to the neighbouring properties to a minimum. In terms of general noise and disturbance, the provision of flood lighting within the Recreation Ground should discourage anti-social behaviour, due to improved natural surveillance and increased frequency of use of the ground, to the benefit of the local community.

7.7 The closest properties' boundaries to the floodlights are in High Lawn Way and Owslebury Grove. The closest property's boundary in High Lawn Way is approximately

16m to the north, with an earth bund (approximately 2.5 metres in height) with trees in between. The closest property's boundary to Owslebury Grove is approximately 20 metres to the south.

- 7.8 Environmental Health officers (EH) have assessed the information submitted with the application and expressed concerns over an extension of time from 21:30 to 22:00 hours, and refer to complaints that were received when the floodlights and the pitch were initially used outside of the 21:30 hours deadline. The issue of operating outside of the authorised hours has been rectified, with no further complaints received by EH. However, EH is concerned that there is the potential for an increase in complaints about the use of the floodlights and the pitch, if the use of it is extended to 22:00 hours.
- 7.9 Noise is a subjective matter with individuals hearing different sounds, with each having diverse tolerance levels. The situation is similar with the acceptance or otherwise of floodlighting. EH has expressed concerns that an increase in use of the flood lighting and the pitch would give rise to further complaints about the use of the Artificial Turf Pitch. The successful use of the increased hours of operation would largely rest on the good management of the facilities; it is only with time that this can be fully assessed.
- 7.10 Policy DM10 of the Core Strategy relates to pollution and indicates that development that causes pollution through noise and other pollutants will only be permitted where the health and safety of nearby residents is not put at risk. Policy CS16 also requires development to not cause unacceptable harm to amenity from noise. The NPPF in relation to noise indicates that when noise starts to affect behaviour then an adverse effect is likely to occur, and the planning process should be used to avoid this effect occurring. On balance it is considered that a one-year temporary permission would enable the full impacts of the proposed use to be assessed, and whether any additional measures are required to be implemented.
- 7.11 The following condition is therefore recommended, if the Committee is minded to approve the application:

The permission to extend the hours of usage of the floodlights to 22:00 at this facility on a daily basis, shall be temporary and shall expire after a 12 month period calculated from the date of this planning permission. Thereafter, the permission will revert to those hours granted planning permission under Condition 2 of APP/15/01162, unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.

Reason: *In order for the Council to fully understand and assess the implications and the outcomes of such an extension of time, and whether any additional measures require implementation. To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*

8 Conclusion

- 8.1 The artificial grass pitch and multi use games area may lawfully be used with floodlighting up to 21:30 hours. The proposal would extend this by 30 minutes up to 22:00 hours. On balance, it is considered that this increased use could operate without causing significant harm or loss of amenity to nearby residents. However, to ensure this is the case, a temporary 1 year permission is recommended, to enable the full impacts of the proposal to be assessed, and whether any additional measures should be implemented. Appropriate conditions imposed on planning permission reference APP/15/01162 would also be re-imposed, if planning permission was forthcoming.
- 8.2 It must be noted that, irrespective of this recommendation, any future noise generated or light spillage at the site would also be subject of the general requirement of the Environmental Protection Act 1990 (as amended) not to cause statutory public, or private

nuisance. This would be monitored and controlled by Environmental Health if complaints are received.

- 8.3 When balancing the objectives of the NPPF, it is considered that any limited environmental harm that may arise is not so sufficient as to outweigh the clear social benefits of the proposed use. Therefore, the proposal is considered to comply with the NPPF and policies CS1, CS16 and DM10 of the adopted Local Plan and the application is recommended for temporary conditional permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT TEMPORARY PERMISSION** for application APP/19/00479 subject to the following conditions:

- 1 This permission to extend the hours of usage of the floodlights to 22:00 at this facility on a daily basis, is of a temporary nature and will expire after a 12 month period calculated from the date of this approval. Thereafter, the permission will revert to those hours permitted originally under Condition 2 of APP/15/01162, unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.
Reason: In order for the Council to fully understand and assess the implications and outcomes of such an extension of time, and whether any additional measures require implementation, to protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 2 The two MUGAs and cage cricket hereby permitted shall not be constructed other than substantially in accordance with Sport England Design Guide, Artificial Surfaces for Outdoor Sports 2013. Particular attention is drawn to the need for appropriate fencing and surfacing.
Reason: To ensure the development is fit for purpose and sustainable and having due regard to policy DM1 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 Within 1 month of the grant of this planning permission, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority (after consultation with Sport England). The Scheme shall include measures to ensure the replacement of the Artificial Grass Pitch within a specified period. The measures set out in the approved scheme shall be complied with in full, within 1 month of the scheme being approved by the Local Planning Authority.
Reason: To ensure that the new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and having due regard to policy DM1 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 Within 1 month of the grant of this planning permission 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) shall be submitted to the Local Planning Authority for approval. The approved scheme shall be fully implemented in full accordance with such plans and particulars as are thus approved by the Authority, within 1 month of that approval.

Reason: To safeguard the amenities of the locality and retained trees and to ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

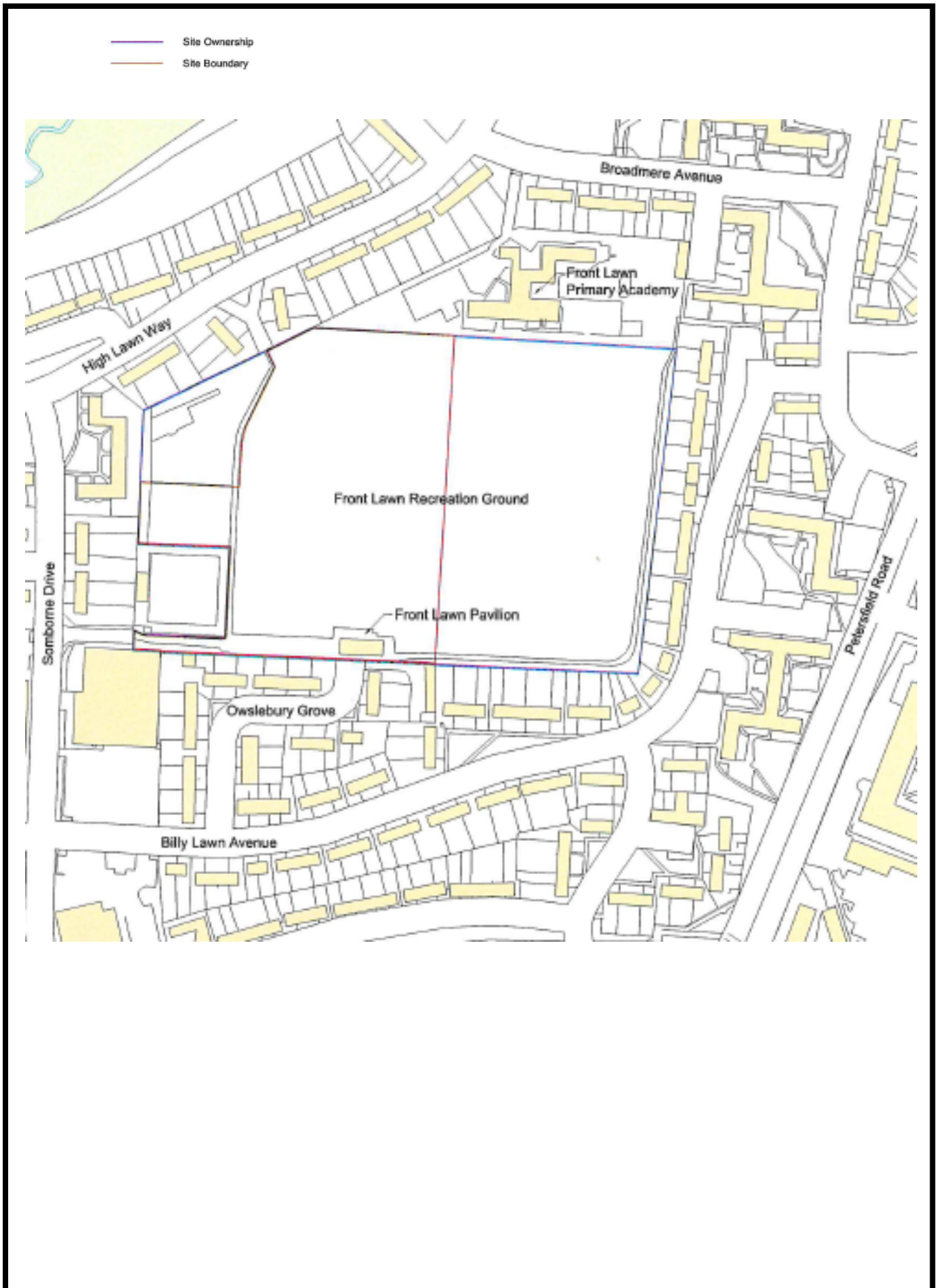
Location plan -27973PD - 00
Block plan - 27973 - 101 E
Artificial Turf Pitch ATP Isometric view
Layout plan

Reason: - To ensure provision of a satisfactory development.

Appendices:

- (A) Location Plan
- (B) Block Plan
- (C) Site Plan

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Site Address: 2 Montreal Drive, Waterlooville, PO7 5FE
Proposal: Proposed rear extension.
Application No: APP/19/00477 Expiry Date: 17/07/2019
Applicant: Mr & Mrs Chappell
Agent: Miss Cole Case Officer: Lesley Wells
 Anglian Home Improvements
Ward: Purbrook

Reason for Committee Consideration: The applicant is a Council employee

HPS Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site comprises a detached 2 storey dwelling, with the garage of the neighbouring property at 18 Athens Way attached to part of the western side elevation. The property is located on the western side of Montreal Drive at its junction with Athens Way, in a modern housing estate within the defined urban area. The rear garden to the south of the property is enclosed by a 1.8 metre high wall and fencing, and faces a further garage building.

2 Planning History

The application site was constructed pursuant to the following approved development:

APP/12/00205 - Construction of 76No. dwellings consisting of 3No. 2 bed, 38No. 3 bed, 23No. 4 bed houses and 12No. 2 bed flats with associated parking, landscaping including open space and play area, and pumping station. New vehicular access to Stakes Road and new pedestrian access to Stakes Hill Road. Permitted 03/08/2012.

3 Proposal

The proposal is for a single storey rear extension, with a hipped roof.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

None required.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria. The proposal is only before the Committee for determination because it has been submitted by a member of staff.

(ii) Appropriateness of design and impact on the character of the area

7.3 The proposed extension is single storey and modest in scale, the size of which is 5.3 m x 3.3 m x 3.7 m. The proposal would be subservient to the main building, as required by the Borough Design Guide. The proposed materials are brick with a tiled roof, to match existing materials on the main dwelling. The windows and doors would be white double glazing to match those on the main dwelling. The extension has a hipped roof, which does not reflect the roof on the main dwelling which is an open gable - however this design approach reinforces the subservient nature of the extension. The design of the proposal is considered appropriate and would not adversely impact the character of the area, and would, in the main, be screened from the street scene by a 1.8 metre wall to the east, which encloses the garden from Montreal Drive.

7.4 The proposal would reduce some of the usable garden area currently enjoyed by the occupiers. However, the area remaining is still considered to be acceptable and appropriate for the property.

7.5 The design and appearance of the proposal is therefore deemed appropriate in context to the main building and is considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.6 Due to the proposal's location, which is located adjacent to the neighbour's property to the west, and the erection of 1.8 fencing along this boundary, it has no material impact on the amenities of the occupiers of this property. As to the neighbour property to the south, due to the building's orientation and separation distance the proposal would not affect the amenity of the occupiers of this property.
- 7.7 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the street scene and neighbours and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00477 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 external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.
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.
- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan
Block Plan
Photograph showing existing rear elevation
Existing plan and elevations
Proposed plan and elevations

Reason: - To ensure provision of a satisfactory development.

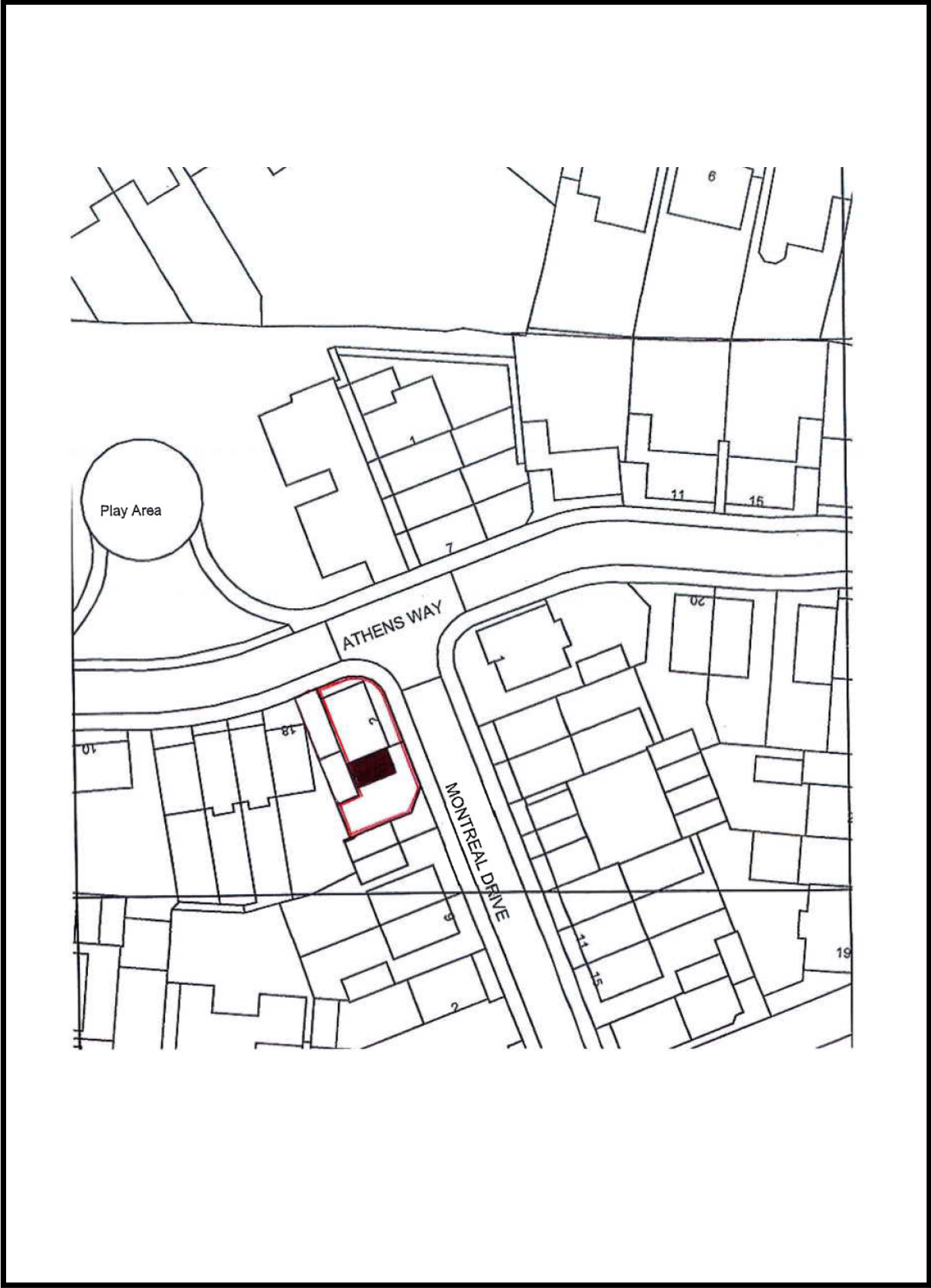
Appendices:

- (A) Location Plan
- (B) Block Plan
- (C) Proposed Floor Plans and Elevations

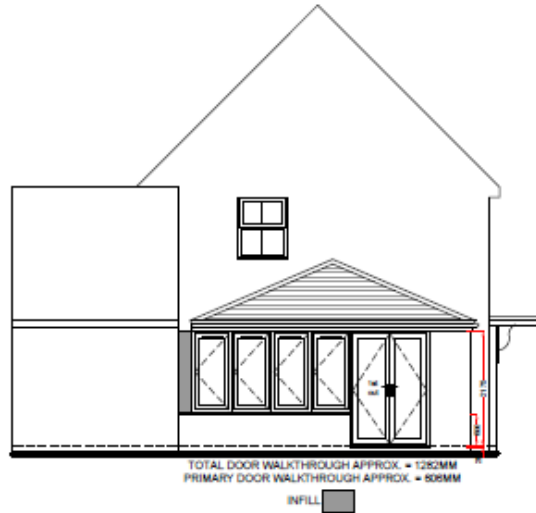
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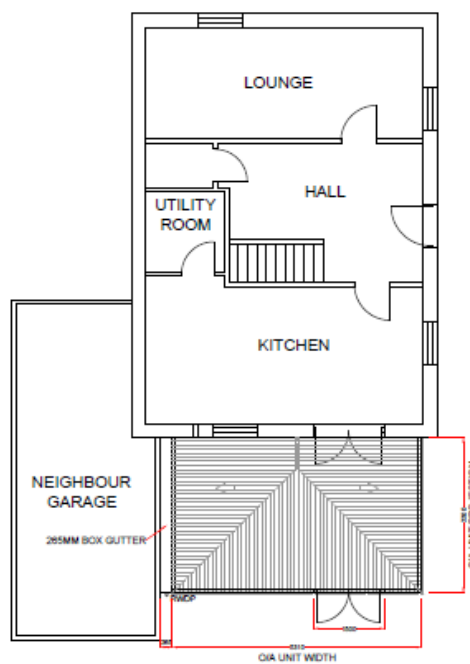
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PROPOSED REAR ELEVATION



PROPOSED RIGHT ELEVATION



PROPOSED FLOOR PLAN

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