

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
CIVIC CENTRE ROAD
HAVANT
HAMPSHIRE P09 2AX



Havant
BOROUGH COUNCIL

Telephone: 023 9247 4174
Fax: 023 9248 0263
Website: www.havant.gov.uk

PLANNING COMMITTEE AGENDA

Membership: Councillor Crellin (Chairman)

Councillors Branson, Howard, Hughes, Lowe, Patrick and Weeks

Meeting: Planning Committee

Date: Thursday 14 April 2022

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:

Kim Sawyer
Chief EXecutives

5 April 2022

Contact Officer: Mark Gregory 023 9244 6232
Email: mark.gregory@havant.gov.uk

Can Councillors Please Submit Any Detailed Technical Questions On The Items Included In This Agenda To The Contact Officer At Least 4 Hours Before The Meeting Starts.

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1 Apologies	
2 Minutes	1 - 14
To approve the minutes of the last meeting of the Committee.	
3 Declarations of Interests	
4 Items for Deferment	

5 Applications for Development 15 - 18

Part 1 - Applications and other matters viewed by the Site Viewing Working Party

5(a) APP/21/01194 - 9 Fabian Close, Waterlooville 19 - 38

Proposal: Proposed change of use of domestic outbuilding to a dog grooming parlour.

[Additional Information](#)

Part 2 - All other Applications for Development

5(b) APP/22/00169 - 33 Victoria Avenue, Hayling Island 39 - 58

Proposal: Single storey rear extension with flat roof

[Additional Information](#)

GENERAL INFORMATION

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If there has been a summary text within six months of any previous appearance on the same or similar topic (irrespective of whether or not the member(s) of the summary text might be different) then no such new summary text will be received until that time limit has expired. However, "same or similar topic" does not apply to applications for planning permission considered by the Planning Committee.

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By Email to: 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

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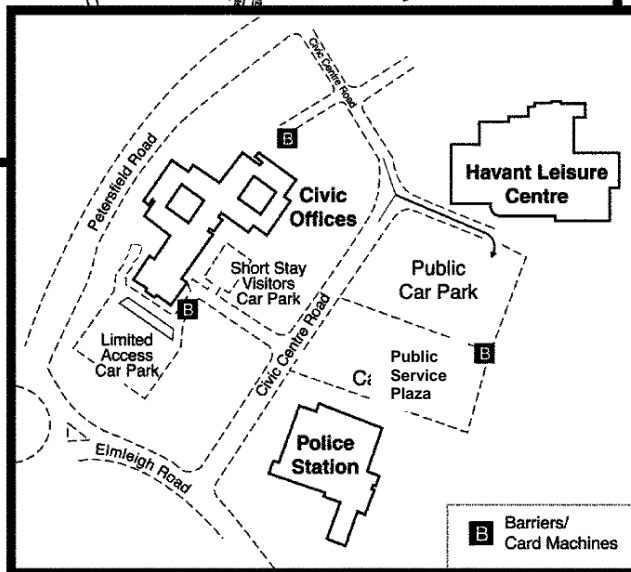
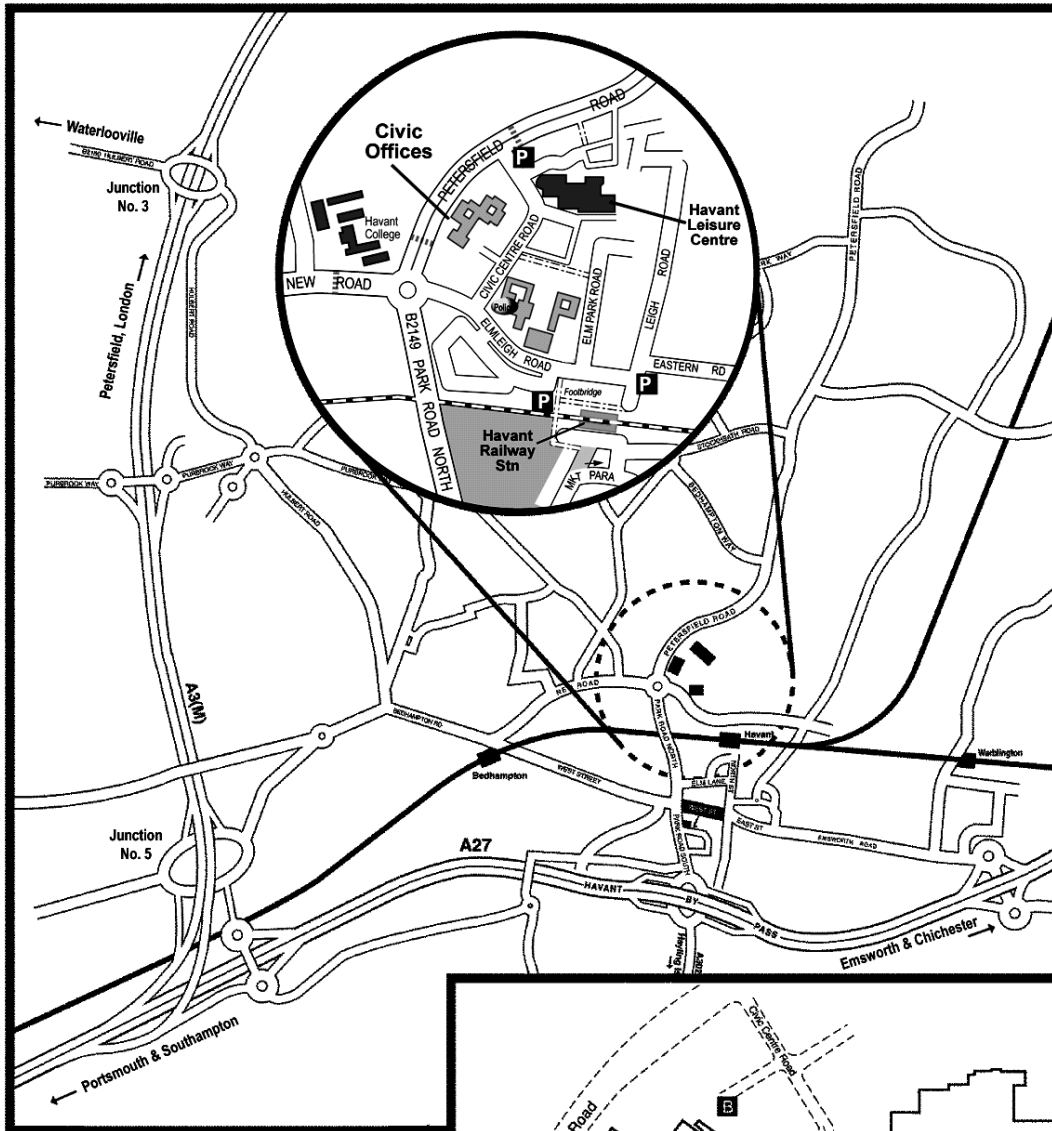
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 Telephone (023) 9247 4174

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HAVANT BOROUGH COUNCIL

At a meeting of the Planning Committee held on 24 February 2022

Present

Councillor Crellin (Chairman)

Councillors Branson, Hughes, Lowe, Patrick and Linger (Standing Deputy)

57 Apologies

Apologies for absence were received from Councillors Howard and Weeks.

58 Minutes

REOLVED that:

- (a) the minutes of the meeting of the Planning Committee held on 3 February 2022 were agreed as a correct record and signed by the Chairman; and
- (b) the minutes of the Site Viewing Working Party held on 17 February 2022 be received.

59 Declarations of Interests

There were no declarations of interests.

60 Items for Deferment

There were no matters to be considered for deferment.

61 APP/21/01376 - Land adjacent to 54, Long Copse Lane, Emsworth

(The site was viewed by the Site Viewing Working Party on 17 February 2022)

Proposal: Erection of 9No. dwellings together with associated works
 (resubmission of APP/21/00683)

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

The Committee received supplementary information, circulated prior to the meeting which:

- (1) included written deputations submitted by Dr Mason, Mr Poirrier, and Nova Planning;

- (2) included the minutes of the Site Viewing Working Party held on 17 February 2022;
- (3) gave a response to a question submitted by a member of the Committee regarding the density of the development;
- (4) summarised additional representations received since the agenda was published; and
- (5) revised the wording of paragraph 7.81 of the report.

During the meeting the officers reported the receipt of additional representations received after the supplementary information was circulated.

The Committee was addressed by the following deputees:

- (i) Dr Mason, who reiterated the objections set out in his submitted written deputation;
- (ii) Mr Poirrier, who reiterated the objections set out in his submitted written deputation and highlighted that East Hampshire District Council had recently refused permission for affordable housing in Rowlands Castle because of rare bats;
- (iii) Mr Goodenough, who, on behalf of the applicants, supported the application by reiterating the issues raised in his written deputation.

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

- a that under condition 17, the applicants were required to demonstrate the water efficiency of the proposed dwellings. A calculation of water usage was made based on the equipment installed in each dwelling and the water usage associated with the dwelling;
- b that Council land formed part of the application site because it would be used for the translocation of the SINC;
- c that the actual size of the development site was 0.45 hectares;
- d that Plot 5's level would be 1.5 m lower than 54 Long Copse Lane;
- e that the front of plot 5 was approximately 26 metres from the rear of 54 Long Copse Lane;
- f that the development complied with the Emsworth Neighbourhood Plan;
- g of the provision made for drainage of the development;

- h that the Committee was required to determine the application as submitted;
- i that the attenuation tanks would be managed by a management company;
- j that the developer would be required to pay the Council for the maintenance of the SINC land for a period of 30 years; and
- k that Condition 9 included a provision to ensure that lighting was appropriate in this sensitive location.

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

During the debate, it was acknowledged that the proposed development was on a sensitive site. However, it was felt that:

- (A) the mitigation measures would address the concerns raised by the objectors;
- (B) the proposed relocation of the SINC site would lead to an improvement of the SINC;
- (C) Natural England and Westbourne Parish Council had not raised any objections;
- (D) the harm did not outweigh the need for housing in the Borough;
- (E) the proposed density was appropriate;
- (F) the development complied with the Emsworth Neighbourhood Plan; and
- (G) there were no significant or demonstrable reasons to refuse this application

RESOLVED that application APP/21/01376 be granted permission subject to:

- (A) completion of the Section 106 Agreement as set out in paragraph 7.81 of the submitted report, as amended by the supplementary information circulated prior to the meeting, (for which authority is given to the Head of Legal Services to complete the Agreement); and
- (B) the conditions set out below (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision)

General

- 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:

Plans

Site Layout Plan – 01L

Plot 1 - Plans & Elevations - Drawing No. 02A

Plot 2 - Plans & Elevations - Drawing No. 03C

Plots 3 & 4 - Plans & Elevations - Drawing No. 04D

Plot 5 - Drawing No. 05C

Plots 6 & 7 - Drawing No. 06B

Plots 8 & 9 - Drawing No. 07B

Site Section from South to North (plot 4) D-D - Drawing No. 10C

Site Elevation from Long Copse Lane - Drawing No. 09 d
Street Scene Drawing.

Documents

Arboricultural Implications Assessment and Method Statement dated 3/2/2022 by Barrie Draper

Ecological Appraisal by WYG dated November 2021

Reptile Survey by WYG dated November 2021

Long Copse Management Plan by WYG dated 26 May 2020

Technical Note by Tetra Tech dated 17/8/21

Planning Statement dated November 2021 by Nova Planning
Drainage Strategy and Flood Risk Statement dated 3/2/2022 by Aqua Callidus

Road Safety Audit Report dated December 2020 by Fenley

Transport Statement dated November 2021 by Nick Culhane

Swept Paths Analysis Using 11.2m Refuse Freighter Vehicle –
Drawing No. NJC-001 C

Reason: - To ensure provision of a satisfactory development.

3. Development shall proceed in accordance with the ecological avoidance, mitigation, compensation and enhancement measures detailed within the submitted Ecological Assessment (WYG, November 2021), Reptile Presence/Likely Absence Survey (WYG, November 2021) and Ecological Management Plan (WYG, May 2020 unless otherwise agreed in writing by the Local Planning Authority).

Reason: to protect biodiversity in accordance with the Conservation Regulations 2019, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF, Policy CS 11 of the Havant Borough Core Strategy March 2011 and Policies E14 and E15 of the Submission Havant Borough Local Plan .

4. Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, or roof conversion shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: In the interests of the amenities of the neighbouring properties, the protection of trees and to ensure adequate parking provision having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E1, E18 and IN3 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

5. Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the buildings hereby permitted the windows in the first floor on the side elevation facing west, on Plots 1 and 5 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 policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 201, Policies E1, E18 and IN3 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

6. The car parking, 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, Policy IN3 of the Submission Havant Borough Local Plan, Policy ENP MI of the Emsworth Neighbourhood Plan 2021 and the National Planning Policy Framework.

Pre-commencement Conditions

7. No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- (a) A programme of and phasing of demolition (if any) and construction work;
- (b) The provision of long term facilities for contractor parking;
- (c) The arrangements for deliveries associated with all construction works;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material and plant storage areas;

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason - In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

8. Prior to the commencement 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 measures to avoid harm to the natural environment, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP.

Reason: to protect biodiversity in accordance with the Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF, Policy CS 11 of the Havant Borough Core Strategy March 2011 and Policy IN3 of the Submission Havant Borough Local Plan.

9. Prior to the commencement of development activities, a detailed Ecological Mitigation & Management Plan shall be submitted to and approved in writing by the Local Planning Authority. All EMMP measures shall be in accordance with those detailed within the Ecological Assessment (WYG, November 2021), Reptile Presence/Likely Absence Survey (WYG, November 2021) and Ecological Management Plan (WYG, May 2020) unless otherwise agreed in writing by the local planning authority. The EMMP shall include (but not necessarily be restricted to): grassland translocation (to include details of preparatory works, translocation methods and timings, aftercare); details of all habitat and species mitigation measures; details of the ongoing management of all compensatory/enhancement habitat; location, type and number of all bat/bird boxes and other ecological enhancements; details of lighting. All ecological compensation/enhancement measures shall be installed/implemented in accordance with ecologist's instructions and retained in a location and condition suited to their intended function.

Reason: to protect and enhance biodiversity in accordance with the Conservation Regulations 2019, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF, Policy CS 11 of the Havant Borough Core Strategy March 2011 and Policies E14 and E15 of the Submission Havant Borough Local Plan.

10. Prior to any demolition, construction or groundwork commencing on the site the approved tree protective measures, including fencing and ground protection, as shown on the approved Arboricultural Assessment & Method Statement by Barrie Draper dated 25 November 2021 and the Tree Protection Plan shall be installed and agreed at a pre-commencement meeting with the Council's Arboricultural Officer and within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires. The development shall be carried out strictly in accordance with the submitted details.

Reason: To safeguard the continued health and presence of such existing vegetation and trees and to protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E1 and E18 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 11 Prior to development commencing details of the services and the final no dig surfacing shall be submitted to approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority

Reason: To safeguard the continued health and presence of such existing vegetation and trees and to protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E1 and E18 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

12. No development hereby permitted shall commence until 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) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

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

- 13 Not to commence development until there is a binding provision with the landowner for the ecological compensation provision on land edged blue on the Site Layout Plan, which shall be submitted in writing to the Local Planning Authority.

Reason: In the interests of nature conservation and biodiversity net gain, and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy E14 of the Submission Havant Borough Local Plan 2036 and the National Planning Policy Framework.

Above ground

14. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or 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 policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy E1 of the Submission Havant Borough Local Plan, Policy ENP D1 of the Emsworth Neighbourhood Plan 2021 and the National Planning Policy Framework.

15. Notwithstanding any description of landscaping shown on the Site Layout Plan no above ground construction works shall take place until a soft landscape scheme including submission of fully annotated plans at sufficient scale to identify species of individually planted trees, shrubs, hedges, marginal, bulbs and any areas of turfing has been submitted to and approved in writing by the Local Planning Authority. Planting areas should show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs and plant specification schedules, comprising plant size, number and density.

The information shall also include:

Hard landscape details requiring submission of fully annotated plans at sufficient scale that comprise a range of coloured and textured surfacing treatments, which identify:

- finished levels
- hard surfacing material type / product reference and colour
- laying bond
- edging or kerb detail / type
- retaining structures or steps
- Boundary details requiring submission of fully annotated plans at sufficient scale showing the locations of existing, retained and proposed new boundary treatments, with scaled elevation drawings to show height, design, materials, type and colour of proposed new walling / fencing or other type of enclosure and associated gates.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E1 and E3 of the Submission Havant Borough Local Plan Policy ENP D1 and ENP D7 of the Emsworth Neighbourhood Plan 2021 and the National Planning Policy Framework

16. No above ground construction works shall take place unless and until details specifying the Energy Efficiency of the residential development in accordance with Policy E12 of the Submission Havant Borough Local Plan have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved specification.

Reason: To ensure the energy efficiency of the residential development in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) and Policy E12 of the Pre-Submission Havant Borough Local Plan and the National Planning Policy Framework.

Pre-occupation

17. The development hereby permitted shall not be occupied until:
- a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
 - b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policies E14, EX1 and E12 of the Submission Havant Borough Local Plan.

18. No part of the development shall be first occupied anywhere on the site until the road(s) serving that dwelling have been laid to at least base course.

Reason: To avoid excess soil being deposited on the existing roads and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy IN3 of the Submission Havant Borough Local Plan, Policy ENP DI of the Emsworth Neighbourhood Plan 2021 and the National Planning Policy Framework.

19. Prior to occupation, notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, fences or other means of enclosure at the road junction shall be set back to the sight lines shown on the approved Site Layout Plan drawing number 01L and these visibility splays shall be kept free of obstruction and thereafter maintained and retained.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011, Policy IN3 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

20. Prior to the occupation of the development full details of the Electrical Vehicle Charging points shall be submitted to and approved in writing by the Local Planning Authority. The Charging Points shall be installed in accordance with the approved details prior to the occupation of each individual dwelling and retained at all times thereafter.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy IN3 of the Submission Havant Borough Local Plan and the National Planning Policy Framework

21. No part of the development 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 future occupiers of the development having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy E1 of the Submission Havant Borough Local Plan, Policy ENP D1 of the Emsworth Neighbourhood Plan 2021 and the National Planning Policy Framework.

22. Prior to occupation of the development hereby approved details of Swift and Bat boxes to be on installed on all of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The approved Swift and Bat boxes shall be installed in full accordance with the approved details before the occupation the dwelling and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of nature conservation and biodiversity net gain and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, policies E14 and E15 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

Post occupancy

23. At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policies E14, EX1 and E12 of the Submission Havant Borough Local Plan.

62 APP/21/01087- 25 Heather Close, Waterlooville

Proposal: Brown cladding to front and part sides of property

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

Councillor Patrick advised that although she had requested that this application be considered by the Committee, she had an open mind and would base her decision on the issues raised at the meeting.

In response to questions raised by members of the Committee, the officers advised that the colour of the cladding was suggested by the applicants.

The Committee considered that the proposal and in particular the colour of the cladding would not be detrimental to the appearance of the street scene.

During the debate the Committee was reminded that it was required to determine the application as submitted and should not prejudge what might or might not happen in the future.

RESOLVED that application APP/210/01087 be granted permission 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:

Location Plan, Block Plan, Existing and Proposed Plans - 01.01 REV P1

Reason: - To ensure provision of a satisfactory development.

The meeting commenced at 5.00 pm and concluded at 6.10 pm

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Chairman

HAVANT BOROUGH COUNCIL

Planning Committee

APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS REPORT BY THE DIRECTOR FOR REGENERATION & PLACE

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 Planning 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 Planning Committee.

Members are reminded that all letters received are placed upon the application file and are available for Planning 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 Planning 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 Planning 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
Director for Regeneration & Place

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CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

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

Councillor Gwen Robinson

Confirmed that the application be called to Planning Committee.

Councillor Mike Sceal

No comment

Councillor Peter Wade

No comment

Environmental Health Manager, Community Group

I have perused the enclosed plans / documentation provided by the applicant. I have no objection in principle to this application, but would ask, that if consent were to be granted on this application, that the following be conditioned:

- the hours of operation be limited to those proposed i.e. 08:30 to 18:00 Monday to Friday only;
- only one dog to be groomed to be onsite at any one time, unless two dogs from the same household are attending;
- limiting the benefit of the approval to the current applicant / occupant of the property only.

In the event of any noise complaints being received, related to this business, these will be investigated, using the Council's powers for statutory nuisance under the Environmental Protection Act 1990

Hampshire Highways

Thank you for consulting the Highway Authority on the above planning application. Due to the scale of the proposal and that there is no change to the vehicular access, HCC's standing advice should be referred to in the first instance. As a result, the Highway Authority will not provide detailed comments on this planning application. For more information on standing advice please use the following link: www.hants.gov.uk/transport/developers/consultation

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: 14

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 11 Objections

Concerns raised:

Impact on neighbour amenity:

- Dog barking resulting in harmful noise pollution
- Dog fouling and pollution (offsite) – **Officer comment:** It is the responsibility of the dog owners to ensure that dog fowl is to be removed/appropriately managed.

Parking and highways:

- Little on street and on site parking
- Potential blocking of emergency vehicles
- Increased parking on Lysander Way
- Waste disposal and impact including increased traffic from waste collection

Other matters:

- Proposal would be more appropriate for light industrial unit – **Officer comment:** Please see 'Principle of development' section.
- Area should be kept for residential use only
- Pressure on sewer system and waste disposal – **Officer comment:** Disposal of waste is the responsibility of the applicant, a bin area has been shown on the plans to the rear of the garage.
- Issue has been raised with regards to red site line site area being incorrect – **Officer comment:** This has been raised with the agent who has stated the red line boundary is correctly shown.
- Issue has been raised in relation to a covenant on the site which relates to restriction of business uses – **Officer comment:** A covenant is not a material planning consideration and is a separate legal matter.

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
- (iv) Parking

(i) Principle of development

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

Criterion 8 of Policy CS2, encourages smarter working and the proposal for home based working complies with this. The application has however, been assessed on the basis that it should not result in unacceptable environmental, or amenity impacts which would cause nuisance to the residential locality in which it would operate. It is noted that objections raise concerns that the proposal would be better sited in an empty retail unit, however, this proposal is to be assessed on the basis it has been submitted which is for the proposed use on the site of No 9. Fabian Close on its own planning merits.

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

7.2 This proposal comprises the change of use of the domestic garage to a dog parlour. The external alterations to the garage including the replacement of the garage door with a window and the internal alterations have been previously considered and approved under planning application reference APP/21/01193 (Permitted 24th February 2022). The alterations are considered modest and acceptable.

7.3 The proposed hours of use would be for Monday to Friday between 0830 and 1800 hours.

(iii) Impact upon residential amenity

7.4 The applicant has provided additional information stating that on average there would be 3-4 appointments per day with one client at a time, however, each client may bring up to three dogs at a given time. The applicant has confirmed it is not often that clients would bring up to 3 dogs at a time. Whilst there could be some disturbance from dogs barking it is noted that the same amount of disturbance could take place from domestically owned dogs at the property although the potential for some additional excitement/noise from the dogs is accepted. The garage is detached with access to the proposed dog parlour to be via the front access gate and outbuilding single side door located between the garage and the main house. The access route would be located away from neighbouring properties and adjacent to the highway.

7.5 Environmental Health have been consulted with regards to this proposal and have requested conditions relating to hours of opening, limits to dogs on site at a given time and limits to the use linking this to the owner and not to the site, meaning if the applicant were to relocate, the garage would no longer retain the use as a dog grooming parlour. These conditions are recommended. If there were to be noise issues Environmental Health have the powers to investigate this under separate legislation. A condition has also been imposed stating the applicant shall need to keep a log of appointments as evidence should there be noise pollution issues raised with Environmental Health.

7.6 Having regard to the Environmental Health consultation response, and the range of conditions which could be imposed on any permission, it is considered that the concerns regarding the use expressed through the objections to the application can be mitigated to an acceptable level. Consequently, it is considered that it would not be reasonable to refuse the application as, having regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, any adverse effects of the business use on residential amenity can be appropriately addressed.

(iv) Parking

7.7 By the nature of the proposed use, the business would result in clients arriving at the property on foot or by car, dropping off and collecting dogs. Comments have been received which raise concerns in relation to an increase in traffic making use of the Close and potential for on street parking issues.

7.8 There are 3 available parking spaces at the property and the majority of dwellings in the road have provision for on site parking within their frontages. Two of the parking spaces would serve the host dwelling meeting the parking standards for a 3 bedroom property. The third space would allow for parking for clients dropping off and picking up dogs by car. It is noted that the on site parking is fairly constrained however measurements show that 3 cars could be parked on site meeting the 2.4 x 4.8 parking space standards. As the applicant has specified there would only be one client at a time, no additional on site parking allocation is deemed necessary in excess of the 3 spaces provided. As the parking allocation has been met, there should not be any on street parking resulting in congestion and therefore there should not be any impact on emergency services vehicles accessing and egressing Fabian close.

7.9 It is also noted that during the bulk of the opening hours the applicant's husband's car would not normally be on the drive, leaving up to 2 parking spaces available on the driveway. The Highways Officer has raised no objections given the scale of development. Conditions are imposed which stagger the appointments (helping to prevent more than one car turning up at one time) and limiting the number of appointments per day. Given the on site parking space and conditions imposed limiting the number of clients per day to a maximum of 5, the 5 extra vehicles turning into the close per day is not deemed to be of a substantial nature to worsen any existing congestion issues - some clients may also choose to walk or find alternative transport to the address. In conclusion the parking and access as proposed is considered to be acceptable in impact to the surrounding area.

8 Conclusion

- 8.1 With the relevant conditions imposed the proposal is not considered to have an adverse impact on residential amenity, in addition the proposal is not considered to result in congestion in the close as on site parking has been provided which meets the parking SPD standards. The overall impact on the locality is considered acceptable and limited and as such, the application is recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01194

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:

E001 Existing location and block plans
P005 Proposed plans and elevations
Additional information email uploaded on the 23.11.2021
Design and Access Statement uploaded on the 05.11.2021

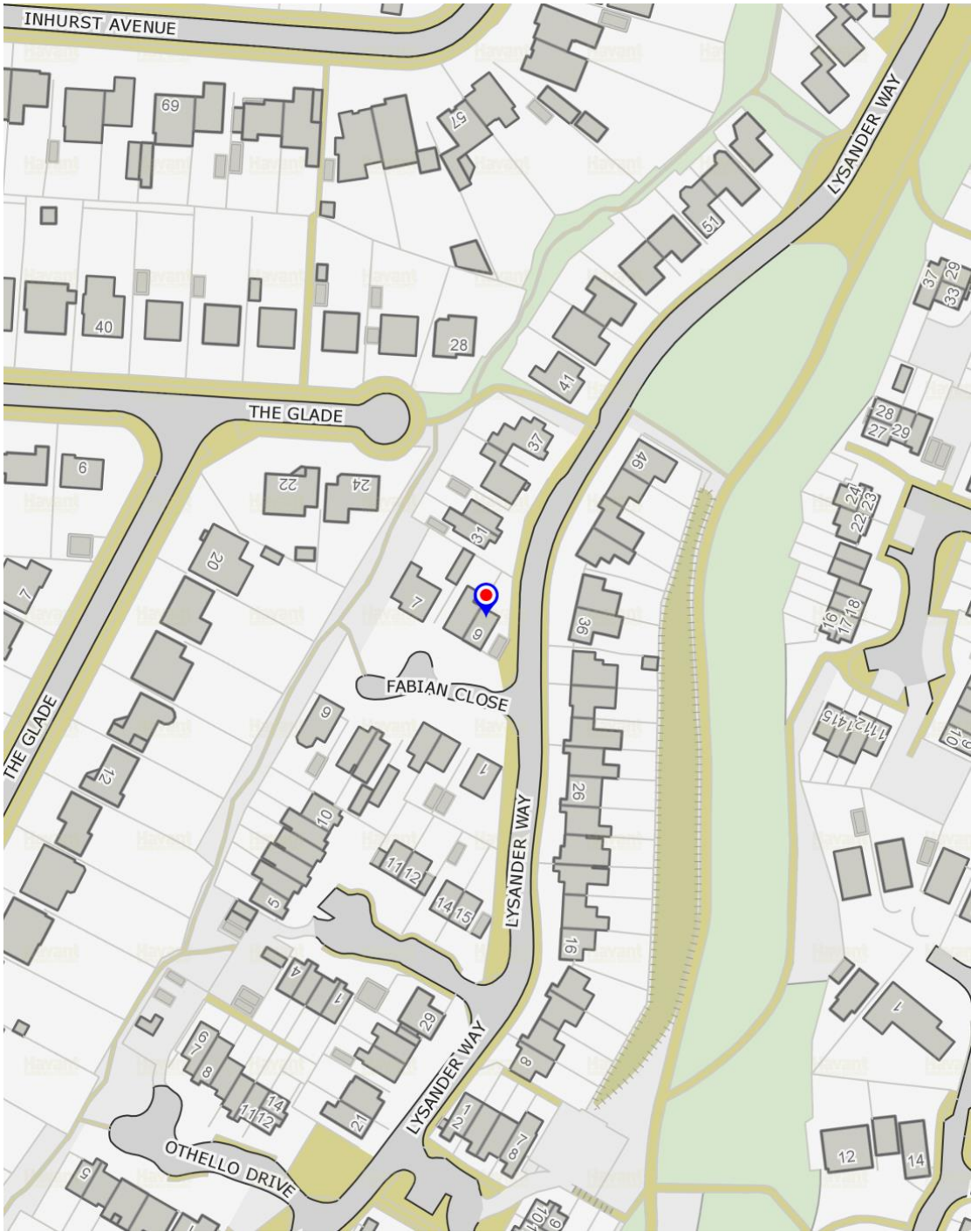
Reason: To ensure provision of a satisfactory development.
- 3 There shall be no more than 5 dogs groomed per day with a minimum break of 10 minutes between appointments unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the residential and highway amenities of the locality and having due regard to policies CS2, CS16, DM10 and DM14 of the Havant Borough Core Strategy 2011 and National Planning Policy Framework.
- 4 The use of the outbuilding for the purpose of the dog grooming business shall only operate between Monday to Friday between 0830 and 1800 hours and shall not operate on bank holidays or at any other time unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the amenities of the locality and having due regard to policies CS2, CS16 and DM10 of the Havant Borough Core Strategy 2011 and National Planning Policy Framework.

- 5 No employees other than Jessica Mcknight shall be employed at the premises in connection with the business hereby approved at any time unless otherwise agreed in writing by the Local Planning Authority.
Reason: in the interests of the amenities of the locality and having due regard to policies CS2 and CS16 of the Havant Borough Core Strategy 2011 and National Planning Policy Framework.
- 6 This permission shall enure for the benefit of Ms Mcknight only whilst resident at 9 Fabian Close and the use hereby permitted shall be discontinued on the date when Ms Mcknight ceases to occupy the property.
Reason: in the interests of the amenities of the locality and having due regard to policies CS2 and CS16 of the Havant Borough Core Strategy 2011 and National Planning Policy Framework.
- 7 There shall be no more than 1 dog or up to 3 dogs if from the same household groomed at the premises at any one time unless otherwise agreed in writing by the Local Planning Authority. If there are additional dogs from the same household these are to be kept inside the grooming parlour throughout the appointment.
Reason: in the interests of the amenities of the locality and having due regard to policies CS2 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.
- 8 Each dog grooming appointment hereby approved shall be carried out in strict accordance with the following arrangements:
- (i) A detailed register of appointments shall be kept and made available for inspection by the Local Planning Authority upon request.
Reason: To ensure that the level of business use is compatible with the residential area and neighbouring amenities having due regard to Policies CS16, DM10, DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

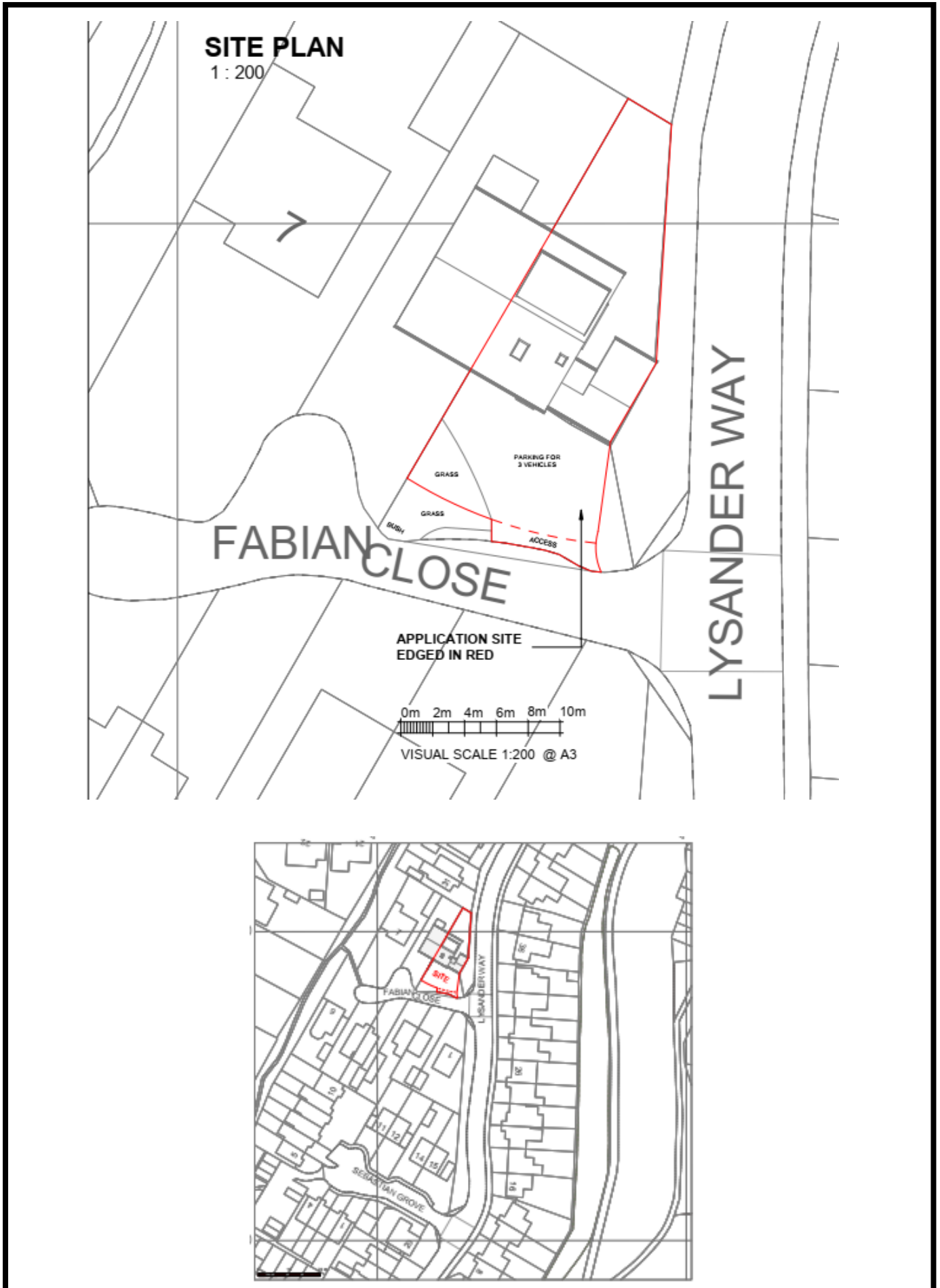
Appendices:

- Appendix A Location Plan
- Appendix B Existing Location & Block Plan
- Appendix C Proposed Outbuilding Use & Work Area
- Appendix D Previously Approved Elevations (APP/21/01193)
- Appendix E Front elevation photograph
- Appendix F Side elevation photograph

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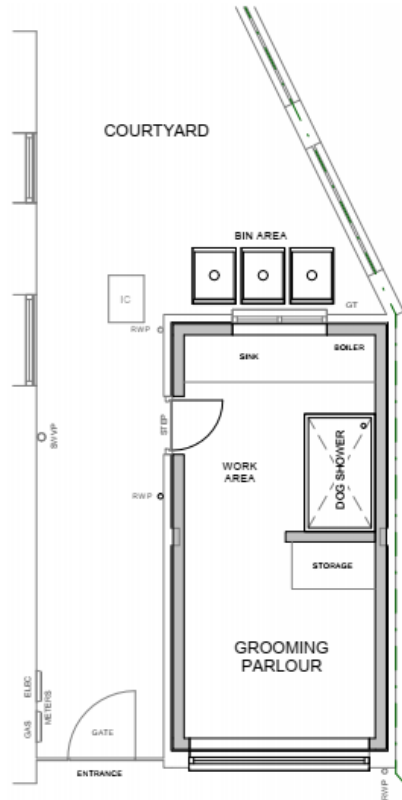


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APPENDIX C PROPOSED OUTBUILDING USE & WORK AREA



OUTBUILDING PLAN
1 : 50

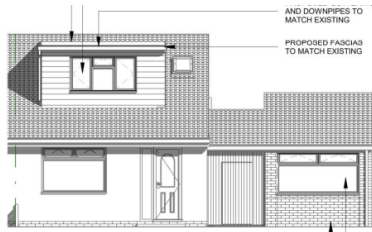


BLOCK & PARKING PLAN
1 : 200

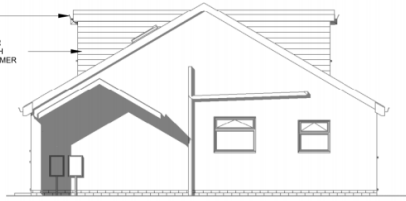


ACCESS

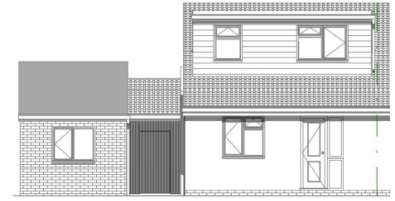
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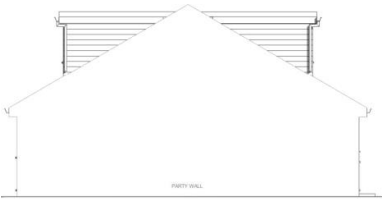
SOUTH ELEVATION
1 : 100



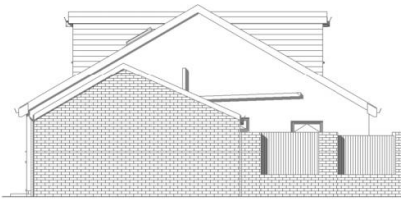
EAST ELEVATION
1 : 100



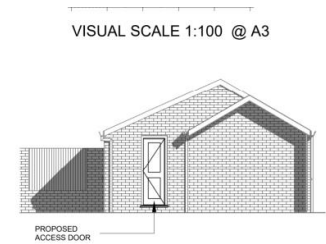
NORTH ELEVATION
1 : 100



WEST ELEVATION
1 : 100



EAST ELEVATION VIEW
1 : 100



WEST GARAGE ELEVATION
1 : 100

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Havant Borough Local Plan (Core Strategy) March 2011
CS16 (High Quality Design)

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

Arboriculturalist, Havant Borough Council

No objection. The Holm Oak shown has recently been granted permission to be removed.

Councillor Brenda Linger - Hayling West

No Comment.

Councillor Clare Satchwell - Hayling West

No Comment.

Councillor I Scott Hayling West

No Comment.

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
- (iv) Trees

(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.
- 7.3 This application is a revision to the previously approved application reference APP/21/00264 which was for a single storey rear extension which spanned across the whole property. This proposal is for a single storey rear extension which would span partly across the property with a greater depth of approximately 1.9 metres.

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

- 7.4 The proposed development would involve a single storey rear extension. It would have a width of approximately 3 metres, a depth of approximately 4.3 metres with a flat roof having a maximum height of approximately 3.3 metres. There is also a slightly altered roof pitch to the approved rear extension.
- 7.5 The proposed extension would have brickwork to match the existing property with a flat membrane roof. This is considered to be in keeping with the context of the main dwellinghouse.
- 7.6 Due to the proposed development being located to the rear of the property it is considered to have a limited impact upon the street scene. Furthermore, the proposed extension would appear subservient to the host dwelling being of appropriate size to the plot and the retained amenity space. Therefore, it is considered to be in keeping with the character of the area.
- 7.7 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore 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

- 7.8 The proposed extension would have bi-folding doors on the west side. Any views would be screened from No.31 to the west by the existing 1.8 metre high fencing, therefore it is not considered to cause harmful overlooking. Furthermore, the proposed extension would be offset from the shared boundary with No.31 Victoria Avenue by approximately 11 metres thus it is not considered to appear overbearing or result in the harmful loss of light to the neighbouring property.
- 7.9 On the east side there would be one side window in the proposed extension. It would be offset from the shared boundary with No.35 Victoria Avenue in line with the existing dwelling and screened by the existing 1.8 metre high fencing with hedging. The proposed extension is not considered to appear overbearing or result in the loss of light to No.35 Victoria Avenue.
- 7.10 To the south there would be doors within the proposed extension and bi-folding doors to the existing rear wall facing the rear garden. Due to the modest scale and location of the extension with the existing boundary screening it is not considered to cause harmful overlooking to any of the surrounding neighbouring properties.

7.11 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.

(iv) Trees

7.12 There is a TPO tree within the neighbouring property at No.35 Victoria Avenue close to the shared boundary. This has been approved to be removed therefore no objection has been raised by the Council's Arboriculturalist.

8 Conclusion

8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the character of the area and the neighbouring properties 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/22/00169

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:

Location Plan - P207

Block Plan - P206

Existing and Proposed Ground Floor Plans - P100A

Existing and Proposed Site Plans - P102

Existing and Proposed North and South Elevations - P103

Existing and Proposed West and East Elevations - P104

Proposed 3D Views - P105

Reason: - To ensure provision of a satisfactory development.

3 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.

Appendices:

Appendix A – Location Plan

Appendix B – Block Plan

Appendix C – Existing and Proposed Site Plan

Appendix D – Existing and Proposed Ground Floor Plans

Appendix E – Existing and Proposed North and South Elevations

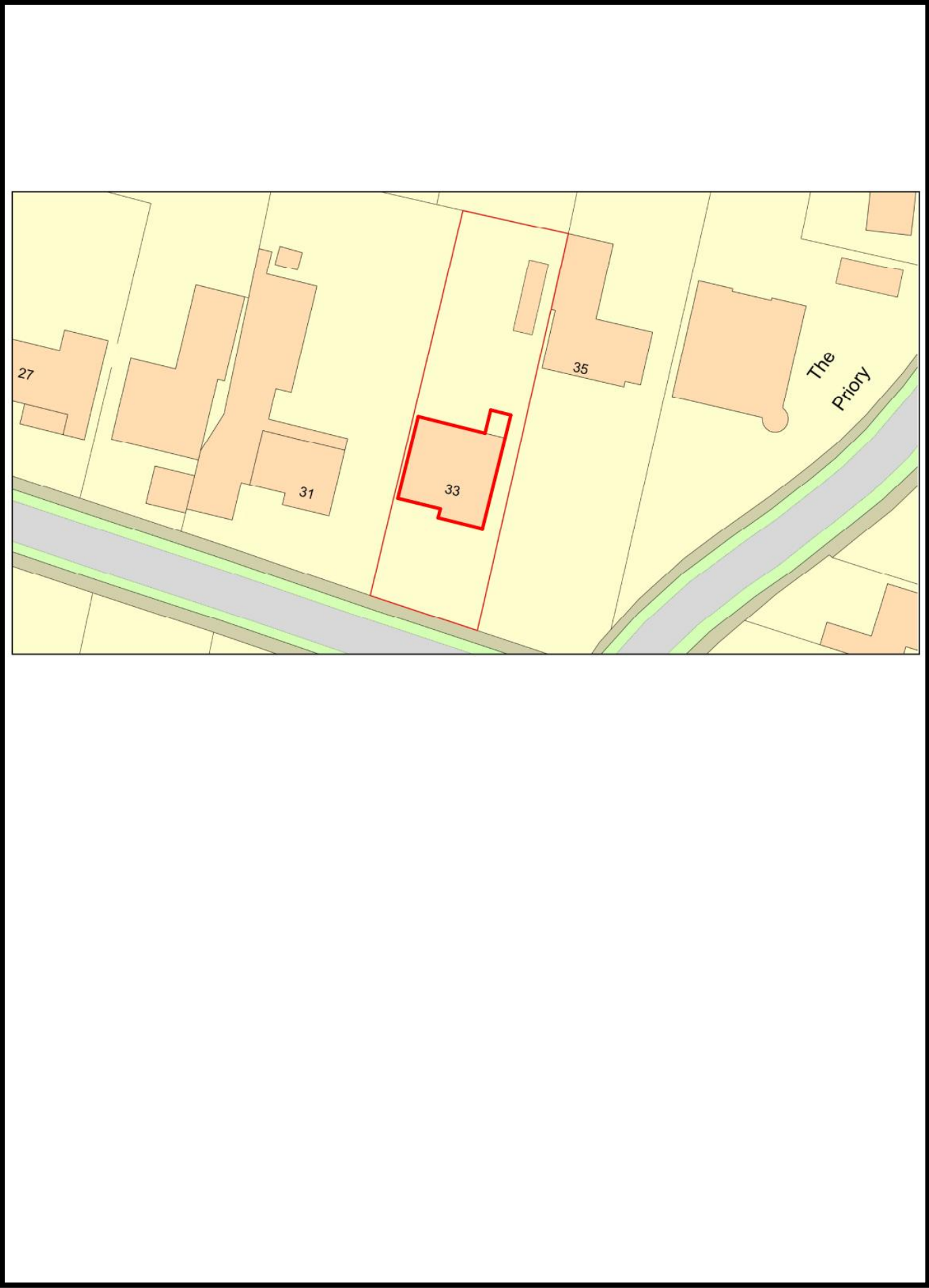
Appendix F – Existing and Proposed East and West Elevations

Appendix G – Proposed 3D Views

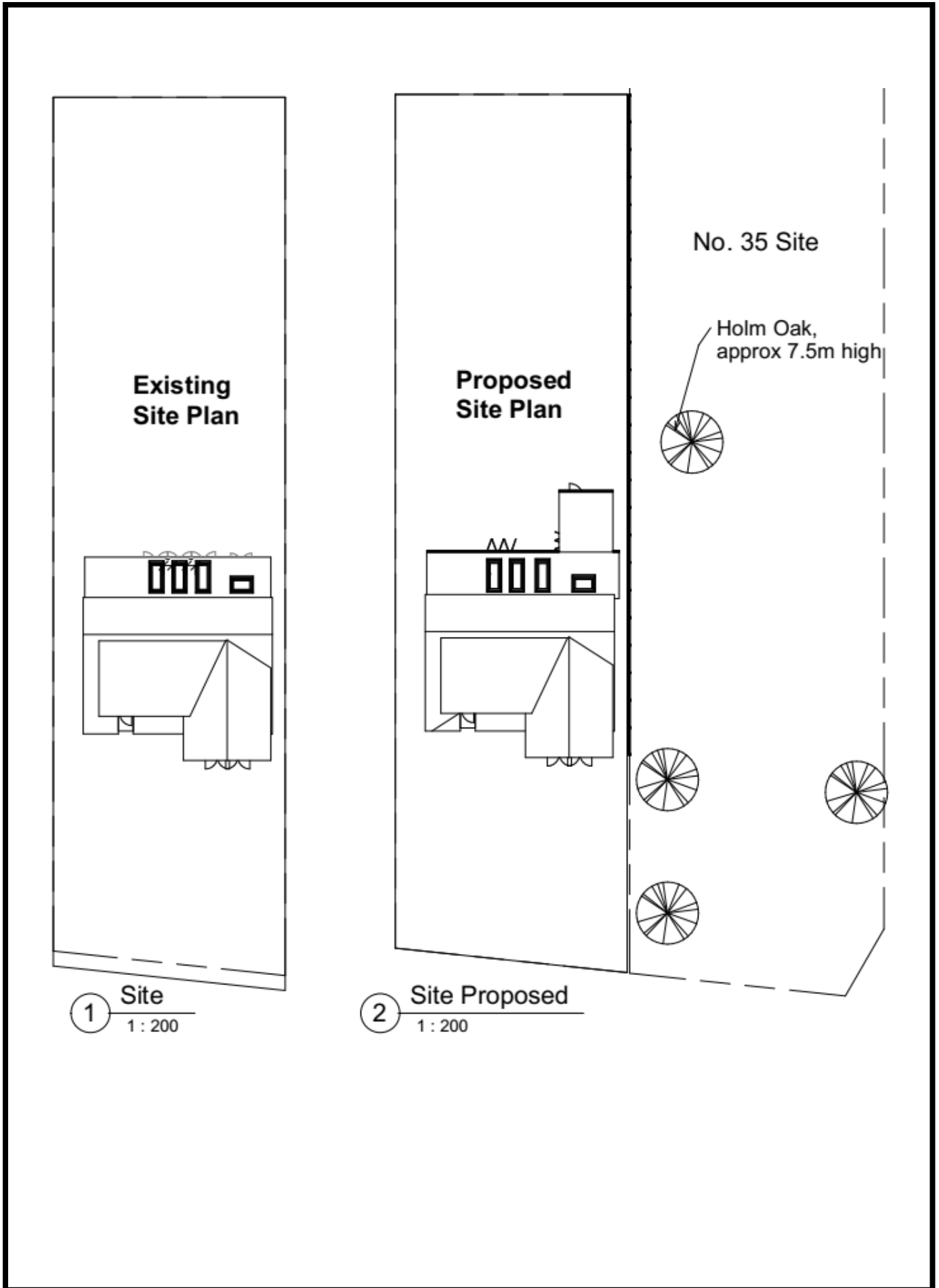
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Existing Site Plan

Proposed Site Plan

No. 35 Site

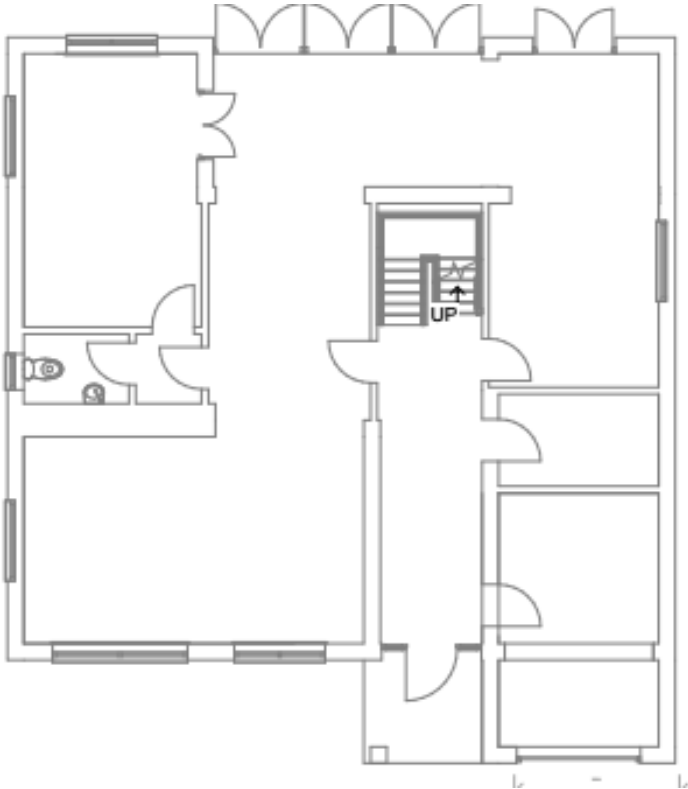
Holm Oak, approx 7.5m high

1 Site
1 : 200

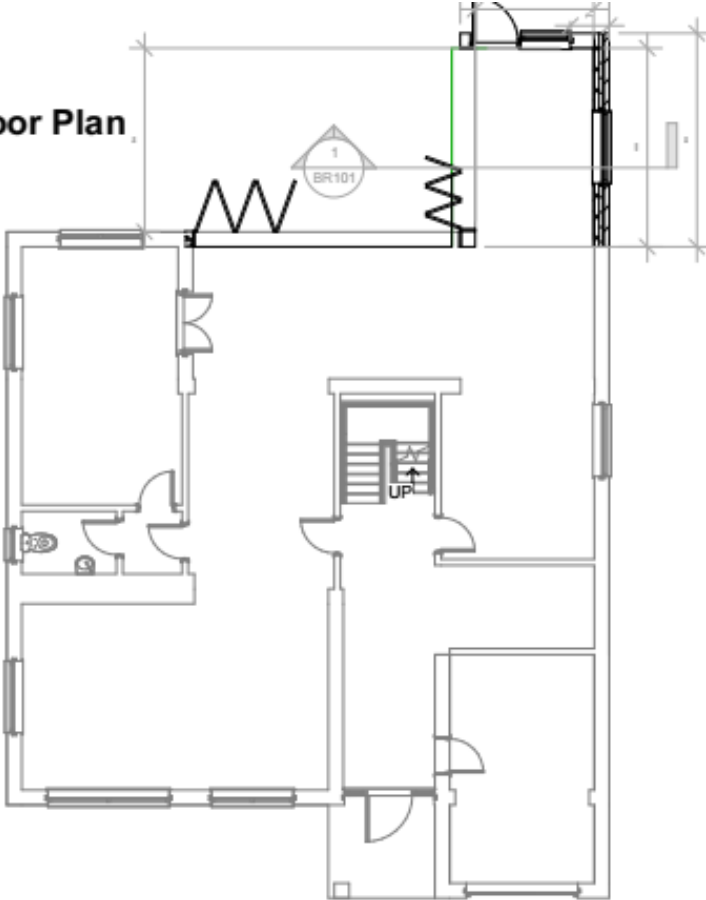
2 Site Proposed
1 : 200

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Existing
Ground Floor Plan

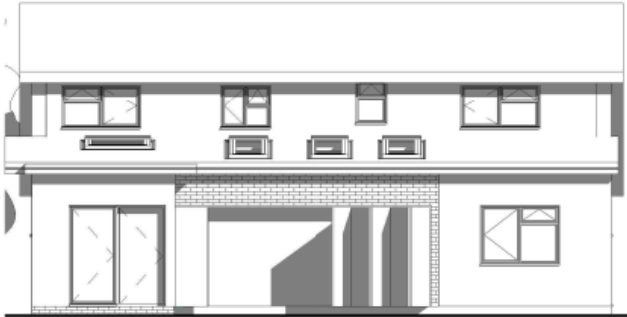


Proposed
Ground Floor Plan

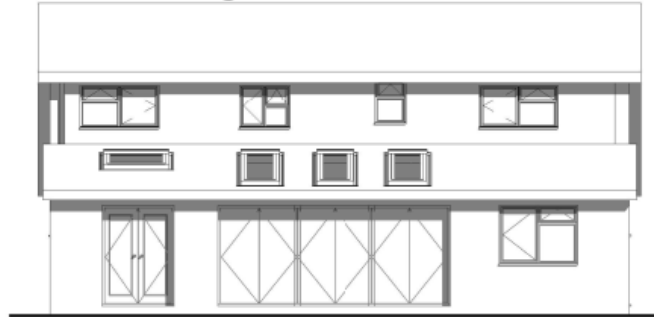


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**North Elevations
Proposed**



**North Elevations
Existing**



**South Elevations
Existing**



**South Elevations
Proposed**



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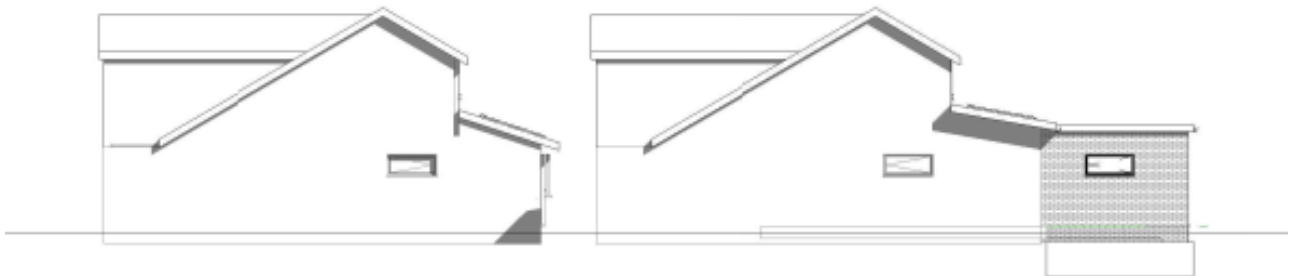
**West Elevations
Proposed**

**West Elevations
Existing**

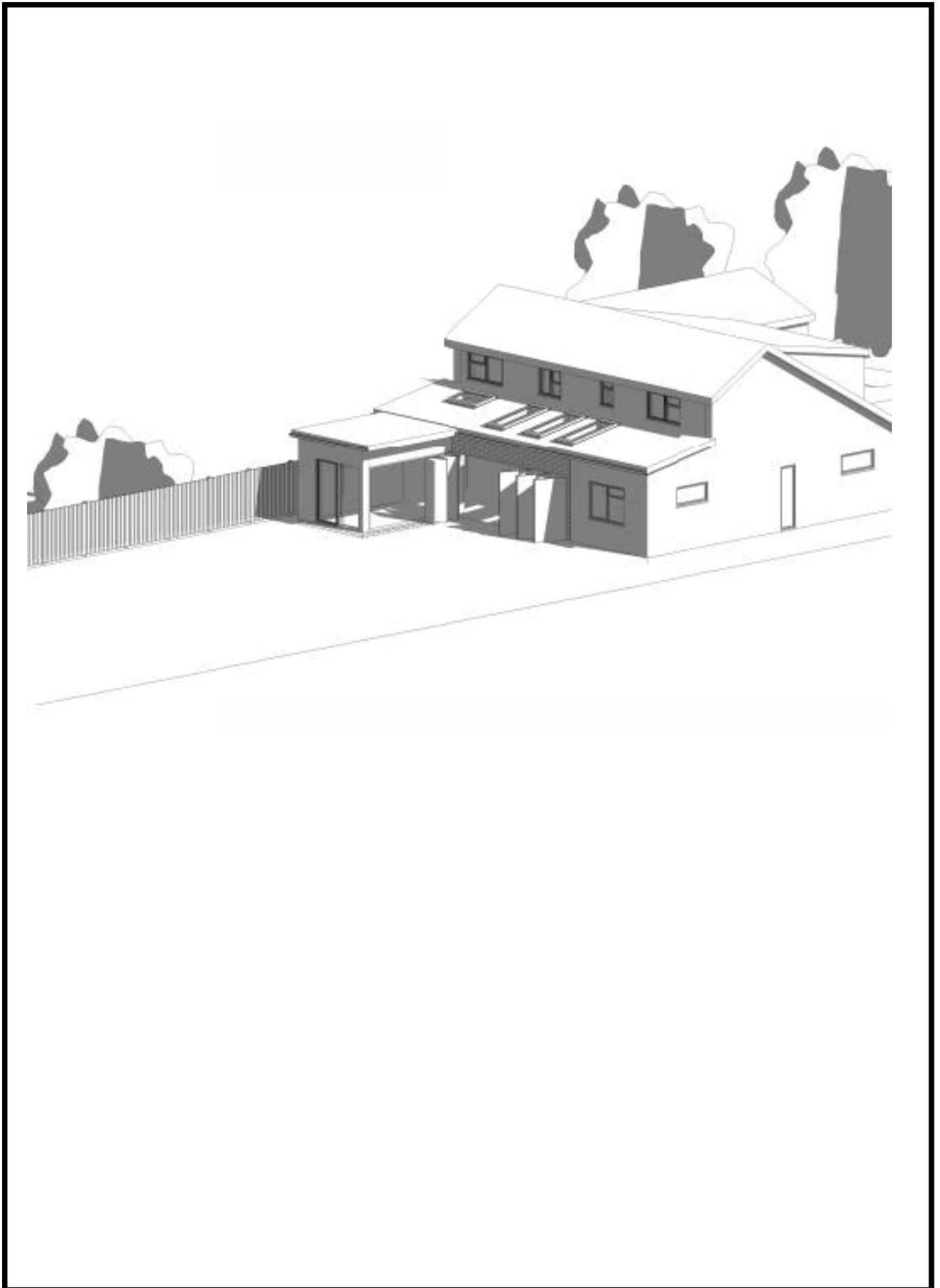


**East Elevations
Existing**

**East Elevations
Proposed**



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