

## **HAVANT BOROUGH COUNCIL**

At a meeting of the Planning Committee held on 20 July 2023

Present

Councillor Keast (Chairman)

Councillors Coates, Linger, Rason, Weeks and Patel (Standing Deputy)

Other Councillors Present:

Councillor(s): Fairhurst and Paul Gray

### **30 Apologies for Absence**

Apologies for absence were received from Councillors Denton and Patrick.

### **31 Minutes**

RESOLVED that the minutes of the Planning Committee held on 15 June 2023 be approved as a correct record and signed by the Chairman; and the minutes of the Site Viewing Working Party held on 13 July 2023 be received.

### **32 Declarations of Interests**

There were no declarations of interests relating to matters on the agenda.

### **33 Matters to be Considered for Deferment or Site Viewing**

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

#### **33a APP/23/00004 - Pavilion, Bidbury Lane, Havant**

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

Proposal: Temporary use of land to carry out ground investigation works comprising the drilling of 2 no. boreholes and the installation of headworks and equipment to monitor ground conditions for a period of 18 months including mobilisation, decommissioning and full restoration periods.

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

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

1. An update paper, which included
  - a. Notice of an additional representation objecting to the application; and,
  - b. additional information received following the Site Viewing Working Party visit.

2. Written deputations submitted by:

- a. Lawrence Blyth, the applicant's agent
- b. Councillor Fairhurst
- c. Councillor Philippa Gray.

The Committee was addressed by:

1. Mr Blyth, the applicant's agent, who reiterated the issues set out in the written deputation submitted.

In response to questions from Members of the Committee, Mr Blyth stated that:

- the applicant would ensure there was a full restoration process for the Bidbury Mead playing fields in place which would initially need to be agreed with Sport England.
  - He would speak with Southern Water's contractor, Clancy, regarding the restoration of the land following concerns from a resident about muddy ground conditions at the rugby club grounds in Hooks Lane after the completion of Southern Water's works.
  - The security cameras covering the ground investigation works would be monitored at all times by a private security contractor.
2. Councillor Fairhurst, who reiterated the issues set out in the written deputation submitted.
  3. Councillor Paul Gray, who addressed the Committee on behalf of Councillor Philippa Gray and reiterated the issues set out in her submitted written deputation.

The officers commented on the issues raised by public speakers and in the written submissions as follows:

- The ground investigation works at Bidbury Lane were not delivering part of the water recycling project.
- The National Planning Policy Framework was clear that arguments that an application is premature are unlikely to justify a refusal of planning permission unless the development proposed was so substantial that to grant permission would undermine the plan-making process. Officers did not consider that this was the case in relation to this application.

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

- a. The applicant would have been permitted to undertake ground investigation works for a period of six months without having to submit a planning application. A planning application had been required because it was for an eighteen month period.
- b. The Borehole 101 Monitoring Period Compound at Bidbury Mead was at least five metres from the back of the football pitch.
- c. A decision in relation to this application was not deemed to be prejudicial in relation to the Council's position on the water recycling project as a whole. It needed to be determined on its merits.

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

Having carefully considered the matter, the Committee decided not to attach additional conditions to the temporary planning permission. It was considered that there was comfort from the existing conditions, including that Borehole 101 could not be in use during the months of October to May and that there was a timetable for the removal of the works/compound and the reinstatement of the playing field land which required approval in writing by the Local Planning Authority after consultation with Sport England.

It was noted also that if the application for the eighteen month period was not permitted, the applicant would have the option to proceed with ground investigation works for six months without the Committee having the option to attach conditions to the temporary planning permission.

RESOLVED that application APP/23/00004 be granted permission subject to the following conditions:

1. This permission shall be for a limited period of 18 months from the date of this permission, on or before which date the use of the land for ground investigation works with associated development shall be discontinued permanently and the site shall be restored to its former park use, in accordance with condition 4, unless the prior consent of the Local Planning Authority has been obtained in writing for a further period.

**Reason:** The use and associated development within a park with sports pitches is not considered suitable for permanent retention, having due regard to policy AL8 of the Havant Borough Local Plan (Allocations) 2014, policies CS1, CS11, CS16 and DM1 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

760010-BH101&BH102-01 – Location Plan  
 760010-BH101&BH102-02 – Site Layout Plan 1 of 2 (BH101 construction layout)  
 760010-BH101&BH102-03 – Site Layout Plan 2 of 2 (BH102 construction layout)  
 760010-BH101&BH102-04 – BH101 Temporary Fencing Plan  
 760010-BH101&BH102-05 - BH102 Temporary Fencing Plan  
 710166-SWS-XX-XX-DR-Z-03701 C02 – BH101 Site Layout and Headworks Plan  
 710166-SWS-XX-XX-DR-Z-03703 C02 – BH101 Decommissioning Detail  
 710166-SWS-XX-XX-DR-Z-03706 C02 – BH102 Decommissioning Detail  
 Arboricultural Impact Assessment by Middlemarch, Report Number RT-MME-159849-02 Rev A  
 Arboricultural Method Statement by Middlemarch, Report Number RT-MME-159849-03  
 Sports Field Restoration Methodology dated 2023  
 Revised Cover Letter dated 10th March 2023  
 Statement of Measures incorporated into Borehole 102 Siting to Protect the Public Sewer dated June 2023

**Reason:** - To ensure provision of a satisfactory development.

3. The hereby approved construction compound of Borehole BH101, shown on Drawing Number 760010-BH101 & BH102 -02, shall not be erected on site or in use during the months of October to May in any calendar year.

**Reason:** To avoid conflict with the availability of the football pitch during the football season, having regard to policy AL8 of the Havant Borough Local Plan (Allocations) 2014, policies CS1 and DM1 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

4. Within 3 months of the commencement of works hereby permitted a scheme for the removal of the works/compound and the reinstatement of the playing field land shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme must be in accordance with Sport England guidance "Natural Turf for Sport" (2011).

Within 8 days following completion of the works, the compound/works area and associated paraphernalia shall be removed from the site in accordance with the approved scheme.

Within 3 months of, or in the first planting season following the removal of the works/compound, whichever is sooner, the playing field land shall be reinstated in accordance with the approved scheme.

**Reason:** To ensure the site is restored to a condition fit for purpose and to accord with policy AL8 of the Havant Borough Local Plan (Allocations) 2014, policies CS1, CS11, CS16 and DM1 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

5. The development hereby permitted shall only be carried out in accordance with the submitted Arboricultural Impact Assessment (RT-MME-159849-02 Rev A) and Arboricultural Method Statement (RT-MME-159849-03).

**Reason:** To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

6. Any required tree works shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

**Reason:** To ensure the continuity of amenity value afforded by the trees in question and 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 6.06 pm**

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**Chairman**