

## **HAVANT BOROUGH COUNCIL**

At a meeting of the Development Management Committee held on 17 December 2015

Present

Councillor Buckley (Chairman)

Councillors Hart, Heard, Keast, Satchwell, Howard and Patrick

### **67 Apologies for Absence**

There were no apologies for absence.

### **68 Minutes**

The Minutes of the meeting of the Development Management Committee held on 26 November 2015 were agreed as a correct record and signed by the Chairman.

### **69 Matters Arising**

There were no matters arising.

### **70 Site Viewing Working Party Minutes**

The Minutes of the meeting of the Site Viewing Working Party held on 10 December 2015 were received.

### **71 Declarations of Interest**

There were no declarations of interests.

### **72 Chairman's Report**

The Chairman reported that:

- (a) he had attended the annual conference of the RTPI; and
- (b) the Public Access System for Planning had now gone live.

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

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

### **74 Deputations**

The Committee received the following deputations/representations:

- (1) Mr A Walker (objector) - Application Number APP/15/00950 – 108 – 110 Elm Grove, Hayling Island (Minute 75)
- (2) Mr M Walker (objector) - Application Number APP/15/00950 – 108 – 110 Elm Grove, Hayling Island (Minute 75)
- (3) Mr McFarlane (applicant's agent) - Application Number APP/15/00950 – 108 – 110 Elm Grove, Hayling Island (Minute 75)
- (4) Councillor Perry (ward councillor) - Application Number APP/15/00950 – 108 – 110 Elm Grove, Hayling Island (Minute 75)
- (5) Mr Wood (applicant's representative) – Application Number APP/15/01162 – Front Lawn Recreation Ground, Somborne Drive, Havant (Minute 76)
- (6) Councillor Ponsonby (ward councillor) – Application Number APP/15/01162 – Front Lawn Recreation Ground, Somborne Drive, Havant (Minute 76)

## **75 APP/15/00950 - 108-110 Elm Grove, Hayling Island**

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

Proposal: Demolition of retail unit and associated outbuildings and redevelopment to form 44No. sheltered apartments for the elderly including communal facilities, access, car parking, landscaping and substation. In addition, provision of 1No. retail unit with flat above with associated parking and landscaping

The Committee considered the written report and recommendation of the Executive Head of Planning and Built Environment to grant permission.

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

- (a) gave details of additional representations received since the agenda was published;
- (b) included recommended conditions; and
- (c) included a cross section of the site.

The Committee was addressed by the following deputees:

- (1) Mr A Walker advised that he had no objection to a retail development on the site but objected to this proposal for the following reasons:

- (a) the proposal was contrary to Policy CS4 which sought to accommodate additional retail space in Elm Grove;
  - (b) the off street parking outside the application site did not have the capacity to accommodate the additional demand for off street parking likely to be generated by this proposal. The proposed closure of the Hayling Billy car park after Christmas and the loss of car parking facilities currently on the site would create a greater demand for off street parking, which could not be met. As a result there would be a loss of trade to the detriment of the economic vitality for the area and an increase in congestion to the detriment of other road users;
  - (c) there was a lack of consultation on the proposal; and
  - (d) the proposal would lead to job losses at his business as there would be inadequate parking for his staff, who currently used the Hayling Billy car park, which would be closed after Christmas;
- (2) Mr M Walker, supported the comments made by Mr A Walker and emphasised that a lack of parking in the area would lead to loss of trade to the detriment of their business and other businesses in the area;
- (3) Mr McFarlane, the applicant's agent, supported the application for the following reasons:
- (e) the proposal was in accordance with the National Planning Policy Framework and the Council's Local Plan;
  - (f) the scheme would provide much need accommodation for the elderly and at the same time free up under-occupied accommodation for younger families;
  - (g) the proposal would add to the vitality and vibrancy of the area;
  - (h) the location of the development will make a positive and sustainable contribution to the local economy in terms of placing development where it is needed in an accessible location;
  - (i) the development was of a high quality design;
  - (j) although the development might in the short term lead to an increase in demand for off street parking outside the application site, evidence demonstrated that, in the long term, the proposed parking provision was adequate;

- (k) a traffic survey showed that the current St Mary's car park was underused and could accommodate any additional demand for off parking likely to be generated by this development; and
  - (l) the proposal would result in substantial CIL contributions.
- (3) Councillor Perry, objected to the proposal for the following reasons:
- (m) the number of parking spaces required for this development had not been properly quantified: a decision on the number of spaces required should be based on similar developments on Hayling Island and not elsewhere in the Borough;
  - (n) the car parking provision on the application site was inadequate and would either encourage parking on the street to the detriment of other highway users or in the nearby St Mary's car park to the detriment of the shops in the locality and visitors to the area;
  - (o) Inadequate visibility splays were to be provided at the junction of the access with the highway and this would cause danger and inconvenience to users of the adjoining highway and in particular pedestrians;
  - (p) The proposal did not incorporate adequate facilities to enable a vehicle to turn on the site and so enter a highway in a forward gear which was essential in the interests of road safety;
  - (q) the traffic generation survey related to developments completed before 2014 and to sites outside of Hayling Island; some of the sites were outside of the Borough of Havant;
  - (r) the development made no provision for mobility scooters or cycles as suggested by the Development Engineer;
  - (s) the parking survey did not take into account the proposed closure of the Hayling Billy car Park and the impact this would have on the capacity of the St Mary's car park;
  - (t) the parking survey was not a true representative of the usage of St Mary's car park;
  - (u) the survey did not take into account the additional construction traffic and parking, which would be generated by this development;
  - (v) the height and massing of the development would be an incongruous feature in the street scene and the nearby Area of Outstanding Natural Beauty;

- (w) there as no record of a response from Chichester Harbour Conservancy
- (x) the proximity and height of the development would give rise to overlooking to nearby residential properties especially to those properties to the north of the site.

Councillor Perry requested that if, the Committee was minded to grant permission, all the conditions be rigorously enforced.

- (4) Councillor Lenaghan supported the previous objections to the scheme and raised the following additional concerns:

- (y) the development would be out of keeping with the area and detrimental to the street scene;
- (z) the parking provision on the application site was inadequate and relied upon a public car park to accommodate any overspill to the detriment of other users of the car park;
- (aa) the lack of an adequate parking provision would also encourage parking on the street thereby exacerbating the existing traffic problems associated with traffic in this area;
- (bb) the proposed new access with a lack of adequate vision splays would be hazardous to pedestrians;
- (cc) The traffic survey did not adequately take into account the characteristics of Hayling Island, which due to its isolation from the mainland encouraged the use of cars;
- (dd) the closure of the Hayling Billy car park would result in staff working in nearby business competing with visitors/residents of the proposed development for parking spaces in the St Mary's Car park;
- (ee) due to problems with the usage of the St Mary's Car park, the Council's Parking Team was considering introducing a 3 hour maximum waiting limit. If this was introduced, the car park would not be available for the period assumed in the car park survey;
- (ff) businesses in the locality would be adversely affected if potential customers could not park due to parking places being occupied by other users; and
- (gg) the Parking Team had not been consulted on the potential impact of this development on a Council car park.

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

- (1) Hayling Billy car park and the current parking area on the application site were not public car parks so would not have included in the parking survey;
- (2) the applicant had provided evidence of car usage in their other similar developments which showed that the parking provision for this application as adequate: the Council had no proof that these projections were incorrect;
- (3) a survey of the traffic generated by the local school did not form part of this application;
- (4) the comments of the Fire Service were set in paragraph 5.12 of the report;
- (5) that site had been specifically allocated for housing in the adopted allocations plan. Therefore Haying Health Centre would not have been consulted;
- (6) the density of the development was 133 dwellings per hectare; it was difficult to compare the density of this development with other developments in the area as the density would vary according to the location, size and characteristic of each site;
- (7) a CIL contribution of £120,000 offered by the applicant towards affordable housing was reviewed by an independent assessor. Such an assessment was purely indicative and the Council was not duty bound to rely upon this assessment as the final contribution required for this development. In view of this assessment a sum of £305,000 was agreed with the applicant, which was acceptable to Housing;
- (8) A condition requiring details of the foul and surface water sewerage to be submitted and approved by the Council before development commenced was proposed to overcome the concerns raised by Southern Water Authority;
- (9) due to the spatial setting of the development it would be difficult to justify refusal on the grounds of overdevelopment;
- (10) it appeared that laundry facilities would be provided in each apartment;
- (11) a communal bin store would be provided for residents of the sheltered apartments; separate bins would be provided for the retail unit and flat above; and
- (12) there would a weekly refuse collection

The Committee discussed this application in detail together with the views raised by the deputees. Although one member of the Committee expressed support for the application, the majority of the Committee considered that:

- (i) the proposal by reason of its bulk height and site coverage would be an incongruous feature detrimental to the visual amenities; and
- (ii) the lack of parking and a turning facilities on the site for service vehicles would be detrimental to other users of the highway.

The Committee also considered refusing the application on the grounds that:

- the additional traffic likely to be generated by the proposal would have a detrimental impact on other users of the highway,
- the development would result in the loss of car parking spaces
- the development would provide satisfactory living conditions for the occupants of the proposed apartments

However, in view of advice given at the meeting, it was acknowledged that there was insufficient evidence to justify a refusal on these grounds.

During the debate, the officers advised that if the Committee was minded to refuse permission, it should also refuse on the grounds that the required SRMP and affordable housing contributions had not be secured.

RESOLVED that Application APP/15/00950 be refused on the grounds:

- 1 The proposed development by reason of its bulk, height and site coverage would be an incongruous feature to the detriment of the visual amenities of the area, and would not provide satisfactory waiting and turning facilities for servicing vehicles within the site, and as a result would be prejudicial to the safety and amenities of users of the highway network in the surrounding District Centre. As such the proposed development would be contrary to Policies CS16, CS20 and DM7 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 2 In the absence of binding arrangements for the provision of on site affordable housing or alternatively an acceptable contribution in lieu of on site provision the proposal fails to make adequate provision for affordable housing in the interests of creating mixed communities and responding to housing need. As such the proposed development is contrary to Policy CS9 of the Havant Borough Local Plan (Core Strategy) 2011, the adopted Havant Borough Council Housing SPD July 2011 and the National Planning Policy Framework 2012.
- 3 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Recreation Mitigation Project, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning

Authority. These seek to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. The development is therefore contrary to policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.

**76 APP/15/01162 - Front Lawn Recreation Ground, Somborne Drive, Havant**

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

Proposal: 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.

The Committee considered the written report and recommendation of the Executive Head of Planning and Built Environment to grant permission.

During the meeting, the officer recommended that an additional condition be imposed requiring the submission and approval of details of the surface water drainage system.

The Committee received supplementary information, circulated prior to the meeting, which included corrected appendices B, C and E.

The Committee was addressed by the following deputees:

- (1) Mr Wood, who, on behalf of the applicants supported the proposal for the following reasons:
  - (a) the proposal would provide a much needed improvement to a recreation ground in an ward with the lowest level of physical activity;
  - (b) the changes would improve the parking provision on the site thereby encouraging more people to visit the ground;
  - (c) measures would be undertaken to reduce the impact of noise on neighbouring properties; and
  - (d) the improvements would make the ground more visually attractive.
- (2) Councillor Ponsonby supported the proposals for the following reasons:
  - (e) the improvements improved the area and should encourage residents to take up more sport;



- (f) the improvements would accommodate sport and other informal activities;
- (g) the floodlights would make the ground safer during the evenings; and
- (h) the facilities including the pavilion would be available for community use.

In response to questions raised by a member of the Committee, the officers advised that the floodlights would be switched off from 9.30 pm.

RESOLVED that Application APP/15/0001162 be granted permission subject to:

- (A) a condition requiring the submission and approval of details relating to surface water drainage: the wording of this condition to be determined by the Executive Head of Planning and Economy and
- (B) 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 floodlights hereby permitted shall not remain illuminated after hours 21:30 hours on any day.  
  
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.
  - 3 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.

- 4 Before the 3G Artificial Grass Pitch is brought into use, 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, with effect from commencement of use of the 3G Artificial Grass Pitch.

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.

- 5 The 3G Artificial Grass Pitch hereby permitted shall not be constructed other than substantially in accordance with The Football Association Guide to 3G football turf pitch design principles and layouts 2013 Edition 1, or any superseding design guidance.

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

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

Design and Access Statement with appendices 1 and 2  
received 15 October 2015

Additional Supporting information submitted by Senior Leisure  
Officer received 5 November 2015

Site Location Plan drwg.no 27973PD-00 received 15 October  
2015

Existing Site Plan drwg.no 27973PD-100 received 15 October  
2015

Proposed Floor Plan drwg.no 27973PD-102 received 15  
October 2015

Proposed Site Plan drwg.no 27973PD-101 rev A received 15  
October 2015

Elevations - Sheet One drwg.no 27973PD-103 received 15  
October 2015

Elevations - Sheet Two drwg.no 27973PD-104 received 15  
October 2015

Existing Floor Plan and Elevations drwg.no 27973PD-105  
received 15 October 2015  
Existing and Proposed Sections drwg.no 27973PD-106  
received 15 October 2015  
Topographical Survey drwg.no 27973PD-110 received 15  
October 2015  
Artificial Turf Pitch Details drwg.no SSL1982-01 received 15  
October 2015  
Artificial Turf Pitch Site Plan drwg.no SSL1982-02 received 15  
October 2015  
Artificial Turf Pitch Isometric View drwg.no SSL1982-03  
received 15 October 2015  
Artificial Turf Pitch Flood Lighting Scheme drwg.no SSL1982-  
05 received 15 October 2015  
Artificial Turf Pitch Elevation drwg.no SSL1982-06 received 15  
October 2015

Reason: - To ensure provision of a satisfactory development.

**The meeting commenced at 5.00 pm and concluded at 7.40 pm**

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**Chairman**