

## **HAVANT BOROUGH COUNCIL**

At a meeting of the Development Management Committee held on 23 January 2014

Present

Councillor Mrs Shimbart (Chairman)

Councillors Brown, Buckley (Vice-Chairman), Hilton, Smith D, Smith J and Turner

### **116 Apologies for Absence**

There were no apologies for absence.

### **117 Minutes**

RESOLVED that

- (a) the Minutes of the meetings of the Development Management Committee held on 21 November and 5 December 2013 were agreed as a correct record and signed by the Chairman.
- (b) the minutes of the Site Viewing Working Party held on 16 January 2104 were approved.

### **118 Declarations of Interest or Predetermination**

Councillor D Smith declared that in view of his acquaintance with the applicants, he had formed a conclusive view in relation to application APP/13/01269 and would therefore withdraw from the meeting during consideration of this application.

### **119 Matters Arising**

There were no matters arising.

### **120 Chairman's Report**

The Chairman reported that:

- (a) item 8(4) of the agenda had been withdrawn and that the application would be submitted to a future meeting of this Committee.
- (b) a seminar on the planning appeal process would be held on 27 January; and
- (c) a Development Consultation Forum would be held on 30 January 2014 to discuss the proposed development of 4.3 ha of land at Portsdown Hill, Havant.

The Chairman encouraged members of the committee to attend (b) and (c) above.

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

### APP/13/01269 – 55 Kingscote Road, Cowplain

The Committee considered a request from the applicant to defer consideration of this application to enable them address the proposed reasons for refusal.

The Committee was addressed by the following deputies, who were requested to confine their comments to question of deferment:

- (A) Mrs O'Connor, objected to the matter being deferred for the following reasons:
- (a) the applicant had had ample time to address the reasons for refusal: this application was a resubmission of an application refused in 2013 for the same reasons recommended in the report relating to this application;
  - (b) there had been no changes in material considerations since the original application was refused in 2013; and
  - (c) the timing of the request for deferment had given little time to prepare a case against; and
  - (d) attendance at this meeting had required taking leave and paying for child care costs: a deferral would require more leave and additional costs
- (B) Councillor Cheshire supported the deferral on the grounds that it would enable the applicant to address the reasons for refusal prior to the matter being considered by the Committee. He apologised on behalf of the applicant for the lateness of the request; and
- (C) Councillor Shimbart sympathised with the views of Mrs O'Connor but on balance considered that a deferral would be appropriate to enable the applicants to try and address the reasons to enable him to further investigate covenants restricting development of the land.

RESOLVED that consideration of application APP/13/01269 be deferred to enable the applicants to try and address the reasons for refusal set out in the submitted report.

## **122 Deputations**

The Committee received the following deputations/representations:

- (1) Mrs O'Connor (objector) – APP/13/01269 – 55 Kingscote Road, Cowplain (Minute 121)
- (2) Councillor Cheshire (ward councillor) – APP/13/01269 – 55 Kingscote Road, Cowplain (Minute 121)
- (3) Councillor Cheshire (ward councillor) – APP/13/01269 – 55 Kingscote Road, Cowplain (Minute 121)
- (4) Mr Knight (objector) – APP/13/01704 – Johnstons Coppice, Stakes Hill Road, Waterlooville (Minute 123)
- (5) Ms Plowright (applicant) - APP/13/01704 – Johnstons Coppice, Stakes Hill Road, Waterlooville (Minute 123)
- (6) Councillor Galloway (councillor) – APP/13/01704 – Johnstons Coppice, Stakes Hill Road, Waterlooville (Minute 123)
- (7) Ms Ward (objector) - APP/13/01095 - 47 North Shore Road, Hayling Island (Minute 124)
- (8) Mr Bone (applicant's agent) - APP/13/01095 - 47 North Shore Road, Hayling Island (Minute 124)
- (9) Councillor Wilson (ward councillor) – APP/13/01095 - 47 North Shore Road, Hayling Island (Minute 124)
- (10) Mr Ellis (objector) – APP/13/01150 – 6 Kings Road, Emsworth (Minute 125)
- (11) Mr Gale (objector) – APP/13/01150 – 6 Kings Road, Emsworth (Minute 125)
- (12) Mr and Mrs Campbell (applicants) – APP/13/01150 – 6 Kings Road, Emsworth (Minute 125)
- (13) Councillor Galloway (ward councillor) – APP/13/01150 – 6 Kings Road, Emsworth (Minute 125)
- (14) Mr Ong (objector) – APP/13/01237 – 48 Greywell Road, Havant (Minute 126)
- (15) Ms Ross (objector) – APP/13/01237 – 48 Greywell Road, Havant (Minute 126)
- (16) Mrs Nash (applicant) – APP/13/01237 – 48 Greywell Road, Havant (Minute 126)
- (17) Councillor Ponsonby (ward councillor) – APP/13/01237 – 48 Greywell Road, Havant (Minute 126)

- (18) Councillor Keast (councillor) – APP/13/00804 – Woodcroft Farm Development Site, Woodcroft Lane, Waterlooville (Minute 127)

**123 APP/13/01074 - Johnstons Coppice, Stakes Hill Road, Waterlooville**

Proposal: Change of use from woodland to mixed use of woodland and natural pet cemetery.

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 the response received from the Woodland Trust; and
- (b) gave details of comments made by the Hampshire County Ecologist and Council's Tree Officer

received since the agenda was published.

The Committee was advised at the meeting that a response had been received by the Hampshire and Isle of Wight Woodland Trust, which needed to be considered by the Hampshire County Ecologist and the Woodland Trust before a decision could be made on this application. In view of the importance of the issues raised by the Hampshire and Isle of Wight Woodland Trust, it was recommend that authority to approval this application be delegated to the Executive Head of Planning and Built Environment subject no objections being raised by the County Ecologist and the Woodland Trust.

The Committee was addressed by the following deputees:

- (A) Mr Knight, who objected to the proposal for the following reasons:
  - (a) insufficient information had been provided to enable the Committee to make a decision on this matter e.g.
    - (1) an ecological survey had not been submitted as required for the application for the development of Woodcroft Farm (minute 127)
    - (2) details of the comments raised by the Hampshire and Isle of Wight Woodland Trust or a response to these comments from the Hampshire Ecologist or the Woodland Trust had not been submitted;
    - (3) there was no legal advice on the impact of the Wildlife and Countryside Act and the Habitat Directive

- (b) Some of the information provided was incomplete or incorrect e.g.
  - (1) the report didn't correctly identify the species of dormouse which lived nearby to the site
  - (2) full details of the response of the Biodiversity Centre were not reported
- (c) in view of the importance of this woodland it was necessary to ensure that the woodland and wildlife habitat was protected. This could only be achieved if all the necessary information was submitted to the Committee before the application was determined and that such information was complete and accurate

(Mr Knight failed to complete his deputation within the allotted time)

(B) Mrs Plowright, the applicant, supported the application for the following reasons:

- (d) a Woodland Management Plan had been produced following consultation with the Forestry Commission;
- (e) the application was supported by Hampshire County Council
- (f) the Ecology Officer had not objected to the proposal
- (g) she had attempted to discuss the matter with Mr Knight but he had not responded to her invitations:
- (e) it was proposed to undertake wildlife/ecological surveys and seek expert advice throughout the use of the site to ensure that habitats and plants were protected and encouraged to flourish;
- (f) charges would be made for the use of cemetery to cover the running costs and the costs of maintaining the woodland; and
- (g) volunteers would be sought to help maintain this ancient woodland.

(3) Councillor Galloway raised the following issues:

- (h) in view of the importance of this site, consideration of this application should be deferred to enable an ecological survey to be undertaken and submitted to the Committee with all the other relevant information;

- (i) the application would be detrimental to the woodland and was therefore contrary to Policy CS11 of Havant's Core Strategy and the National Policy Planning Framework;
- (j) the proposed development should only be permitted if it was shown that there would be there a substantial benefit to the public. However, there was no evidence to indicate that the pet cemetery would enhance the woodland: the proposal appeared to favour the generation of income above the protection and maintenance of the woodland and its environment;
- (j) the projected number of burials would disturb the natural habitat and alter the appearance of the woodland;
- (k) the application would set a precedent, which would affect the future of other ancient woodlands in the Borough;
- (l) no details had been submitted on how the site would be managed e.g. how would the owners prevent unauthorised burials;
- (m) although he had no objection in principle to pet cemeteries such facilities need to be provided on suitable sites: this ancient woodland was not a suitable site

In response to questions raised by members of the committee, the officers advised that;

- (a) the issues raised by the Hampshire and Isle of Wight Woodland Trust were key issues;
- (n) natural burial grounds did not include gravestones or other markers to identify the individual burial sites; and
- (o) there was no evidence to show that dormice lived in the woodland itself: the County Ecologist had recommended a condition requiring cessation of the proposed use as soon as dormice were detected on the site, to establish the dormice's habitat

The Committee discussed this application in detail together with the views raised by the deputees. Although one member of the Committee requested that consideration of this application be deferred to enable Committee to consider the information provided by the Hampshire and Isle of Wight Woodland Trust, the majority of the Committee considered that the proposal together with the Woodland Management Plan would benefit the area and the local community. In view of the need for the information provided by the Hampshire and Isle of Wight Woodland Trust to be considered by the County Ecologist and the Woodland Trust it was

RESOLVED that authority be delegated to the Executive Head of Planning and Built Environment to approve application APP/13/01074 with appropriate conditions to be determined by the Executive Head of Planning and Built Environment subject to a further response from the Trust and Hampshire Country Council Ecology to the effect that they do not object to the proposal.

#### **124 Application APP/13/01095 - 47 North Shore Road, Hayling Island**

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

Proposal: Two storey side extension following removal of existing single storey side extension; two storey rear and single storey extensions including rear balcony following removal of existing conservatory; extensive remodelling of facade including front extension and first floor front balcony also rendering of garage.

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

The Committee received photographs submitted by Ms Ward to support her deputation, which were circulated prior to the meeting.

With regard to the information requested by the Site Viewing Working Party held on 16 January 2014, the Committee was advised at the meeting that:

- (1) the applicant's agent had confirmed that the tree situate in 47 North Shore Road between 47 and 45 North Shore Road would be retained; and
- (2) when considering the application for the balcony at 49 North Shore Road, it was not considered necessary to require that the balcony to be screened because there was no potential for overlooking the primary living accommodation of the adjoining properties.

The Committee was addressed by the following deputees:

- (1) Ms Ward, who with reference to the photographs referred to above objected to the proposal for the following reasons:
  - (a) the photographs and drawings showed the impact of the current overlooking into 45 North Shore Road was reduced by the installation of blinds at 47 North Shore Road: the proposed design and scale of glazing increased the opportunities to overlook into 45 North Shore Road with no proposal for blinds or using opaque glazing to reduce the impact;
  - (b) despite claims that there would be a void between the glazing of the circular entrance hall and the first floor landing, the drawings submitted clearly showed that a person on the

proposed landing would be visible and be able to overlook 45 North Shore Road;

- (c) the proposed bathroom next to the circular entrance hall should have opaque glazing to prevent direct overlooking into 45 North Shore Road;
- (d) the views from the first floor onto the front garden of 47 North Shore Road will be partly obscured by the brise soleil of the centre and would thereby direct viewing towards 45 North Shore Road; and
- (e) the depth of the side and rear balconies obstructed the view of the gardens at 47 North Shore Road and would encourage persons on these balconies to look into 45 North Shore Road.

Ms Ward requested that the Committee consider imposing conditions requiring the balconies to be screened and the glazing in the circular entrance hall to be opaque glass

- (2) Mr Bone, the applicants' agent, supported the application for the following reasons:
  - (f) the proposal would improve the appearance of the building which had suffered from a number of ad hoc additions in the past;
  - (g) the circular entrance hall was designed to highlight the entrance to 47 North Shore Road, which was currently obscured;
  - (h) there was currently a high degree of clear glazing on rooms that directly overlooked 45 North Shore Road: the blinds currently provided to these rooms could be removed at any time;
  - (i) the high degree of glazing proposed was necessary to bring light into the building;
  - (j) there would be a 3 metre void within the circular entrance hall to reduce overlooking onto 47 North Shore Road
  - (k) the applicants were happy to enhance the landscaping on the boundary between 45 and 47 North Shore Road to reduce the impact on 45 North Shore Road; and
  - (l) the applicants would be prepared to discuss the installation of glazing that would only reflect light



- (3) Councillor Wilson, one of the ward councillors, objected to the application for the following reasons:
- (m) the proposal sought to double the amount of clear glazing in the elevations fronting 45 North Shore Road significantly reducing the privacy enjoyed by the occupier of 45 North Shore Road;
  - (n) Although there was currently a large dormer window in 47 North Shore Road, the degree of overlooking was reduced by the angle of the window in relationship to 45 North Shore Road;
  - (o) the proposed distance between the glazed area of the circular entrance hall and 45 North Shore Road was less than the distance normally required to reduce overlooking;
  - (p) a 3 metre void between the landing and the windows was not sufficient to overcome or reduce the impact of overlooking on 45 North Shore Road;
  - (r) The proposed balconies and brise soliel would obscure a view onto the gardens of 47 North Shore Road and encourage occupiers/visitors to view the adjoining gardens

Councillor Wilson requested the Committee to consider imposing a condition requiring the windows on the proposed circular entrance hall to be opaque

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

- (1) the Committee could impose a condition requiring the glazing in the circular entrance hall to be obscured: an outline of such a condition was reported to the Committee; and
- (2) it was acknowledged that the internal lighting of 47 North Shore Road would generate light pollution. However, as this pollution was generated from the inside, it would be difficult to impose a condition to reduce the impact of this pollution;

The Committee discussed this application in detail together with the views raised by the deputees and in particular the amount and form of the glazing to be provided for the circular entrance hall. The majority of the Committee considered that all the glazing on the first floor of the circular entrance hall should be opaque to protect the privacy of the occupiers of 45 North Shore Road. It was therefore

RESOLVED that Application APP/13/01905 be granted permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.

**Reason:** To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Construction of the building hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 The window at first floor level in the Front / SE elevation to serve the family bathroom shall at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 The front and rear balconies as hereby approved shall not be brought into use until glazed screens of the height and position shown on the approved drawings and of obscure glazing, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass obscuration level 4. and shall remain in situ at all times thereafter.

**Reason:** To safeguard the privacy of the occupiers of the neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 Beyond those areas marked on the approved drawings as balconies, the flat roof of the single storey rear extension hereby approved, shall at no time be used as a balcony area for standing or sitting out or for any other purpose.

**Reason:** To safeguard the privacy of the occupiers of the neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 The two balconies at the rear of the property as hereby approved shall be completed prior to the use of the adjoining internal rooms.

**Reason:** To safeguard the privacy of the occupiers of the neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Location Plan, site location and block plan - Drwg No. 1100 A  
Existing and proposed GF plans - Drwg No. 1210 A  
Existing and proposed FF plans - Drwg No. 1211 A  
Existing and proposed SE and SW elevations - Drwg No. 1310 A  
Existing and proposed NW and NE elevations - Drwg No. 1311 A  
Existing and proposed street elevations - Drwg No. 1312 A  
Existing and proposed roof plans - Drwg No. 1212 A  
Front perspective - Drwg No. 1600 A  
Rear perspective - Drwg No. 1601 A  
Design and Access Statement - 1 November 2013  
Internal Hall Perspective - Drwg No. 1604 A  
Internal Hall Plan - Drwg No. 1603 A

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

- 8 The glazing at first floor level on the circular entrance hall as shown on Drwg No: 1310 Rev (A) - SE & SW elevations shall at all times remain fixed shut and be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

## 125 APP/13/01150 - 6 Kings Road, Emsworth

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

Proposal: Erection of two storey rear extension following removal of existing conservatory.

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

The Committee was advised at the meeting that this application had been submitted for consideration by the Committee at the request of Councillor Gibb-Gray, with the support of Councillor Galloway, for the following reason:

*The proposed development would be detrimental and dominate the visual amenities and quiet enjoyment of neighbouring properties, contrary to CS16 of Havant Borough Council's Core Strategy 2011*

The Committee was addressed by the following deputees:

- (1) Mr Ellis, who objected to the proposal for the following reasons:
  - (a) the height and scale of the extension would result in a loss of light and privacy to 4 Kings Road detrimental to his visual outlook and amenities; and
  - (b) the proposed extension would devalue 4 Kings Road.
- (3) Mr Gale, objected to the proposal for the following reasons:
  - (c) insufficient time had been given to enable him to prepare his deputation;
  - (d) the permitted development rights would be exceeded;
  - (e) the height of the proposed extension would be out of keeping with the general character of the area and would have detrimental impact on the amenities of the area;
  - (f) the proximity of the proposed extension to the boundary of 8 Kings Road would have a detrimental impact on the amenities to, and outlook from 8 Kings Road;
  - (g) the scale and bulk of the extension would result in a loss of light and privacy to 8 Kings Road; and
  - (h) the application process and proposed development was having a detrimental impact on his health
- (3) Mr and Mrs Campbell, the applicants, supported the application for the following reasons:
  - (e) additional parking spaces would be provided on site to ensure that the development would not encourage parking on the highway to the detriment of other highway users;
  - (f) the current size of the building was too small to accommodate the needs of a modern family;

- (g) plans for a garage had been withdrawn to overcome the neighbours' concerns about loss of light;
  - (h) they had opted to apply for planning permission rather than build an extension under permitted development rights; and
  - (i) The proposed extension would have limited impact in terms of light and privacy on 8 Kings Road.
- (4) Councillor Galloway, on behalf of the occupiers of 4 and 8 Kings Road, objected to the proposals for the following reasons:
- (i) an extension within permitted development rights with the appropriate parking spaces would have less of an impact than the proposed extension;
  - (j) the bulk of the extension would have an overbearing impact on the neighbouring properties; and
  - (k) from the plans provided it was difficult to see how the applicants would be able to provide the necessary parking places: consideration of this application should be deferred until the applicant could demonstrate to the Committee that it was possible to comply with the Council's parking requirements;

The Committee discussed this application in detail together with the views raised by the deputees. The majority of the Committee considered that the proposal would not have detrimental impact on neighbouring properties or the area. It was therefore

RESOLVED that Application APP/13/01150 be granted permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.  
**Reason:** To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The external materials used in the development hereby approved shall be as stated on the approved drawings.  
**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 2012.
- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement  
P001 (Proposed Location Plan)  
P002 (Proposed Block Plan)  
P003 (Proposed Elevations)  
P004 (Proposed Detailed Elevation (N))  
P005 (Proposed Detailed Elevation (W))  
P006 (Proposed Detailed Elevation (S))  
P007 (Proposed Detailed Elevation (E))  
P008 (Proposed CGI View (South East))  
P009 (Proposed CGI View (South West))  
P010 (Proposed Ground Floor)  
P011 (Proposed First Floor)  
P012 (Proposed Roof Plan and Cross Section)  
P013 (Proposed First Floor Internal View)

NB: The above drawings are approved insofar as they relate to the proposed two storey rear extension, and not to the previously proposed garage extension.

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

- 4 Notwithstanding Condition 3, the windows at first floor level in the side elevations of the development hereby approved shall:
- (i) consist of at least two lights divided horizontally with only the top light capable of being opened, and shall be maintained in that condition at all times; [and]
  - ii) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The development shall not be brought into use until a minimum of two parking spaces have been provided within the curtilage of the site and thereafter all of those spaces kept available for such purposes.

**Reason:** In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extensions or other alterations shall be carried out to the roof of the development hereby

permitted, without the prior written approval of the Local Planning Authority.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows, doors or other openings shall be constructed within the development hereby permitted, without the prior written approval of the Local Planning Authority.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

## **126 APP/13/01237 - 48 Greywell Road, Havant**

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

Proposal: Change of use from use class A1 (retail) to A5 (fish and chip shop).

The Committee considered the written report, which was circulated as supplementary information prior to the Committee, and the recommendation of the Executive Head of Planning and Built Environment to grant permission.

The Committee received supplementary information, circulated prior to the meeting, which amended the description of the development set out in the report:

The Committee was addressed by the following deputees:

- (1) Mr Ong, who objected to the proposal for the following reasons:
  - (a) the proposal would affect the viability of this and other existing takeaway shops in Park Parade, Greywell and the local area: in particular it would affect the footfall to Park Parade;
  - (b) the fumes and odours emanating from the proposed extraction systems would have detrimental impact on nearby residents: the duct should extend beyond the roof ridge;
  - (c) the unloading of delivery vehicles to the proposed shop in Borden Road would exacerbate the existing traffic problems and interrupt the free flow of traffic along this road;
- (3) Ms Ross, objected to the proposal for the following reasons:

- (d) the proposed use involving the use of hot oils would create a health and Safety risk;
  - (e) the proposed location of the vent would create an eyesore to the detriment of nearby residents;
  - (f) the odours emanating from the vent would be detrimental to the living conditions of the nearby residents
  - (g) late night opening would encourage antisocial behaviour in the area;
  - (h) the proposed use would devalue the residential properties above the shops; some mortgagors would not provide a mortgage to properties above such an establishment
- (3) Mrs Nash, the applicant, supported the application for the following reasons:
- (i) it was proposed to operate the shop as a family business providing hot food and sandwiches;
  - (j) it was proposed to only operate the business during the same operating hours as the nearby Bingo Hall;
  - (k) the impact on competitors was not a material planning consideration;
  - (l) the proposed use would make use of a currently vacant building to the benefit of the appearance and vitality of Greywell;
  - (m) the proposed extraction system was acceptable to the Environmental Health Officer and complied with Building Regulations;
  - (n) the outlet for the extraction system was 10 metres away from the nearest residential property;
- (4) Councillor Ponsonby, with reference to the Site Viewing Working Party raised the following issues:
- (o) the proposal would give rise to odours to the detriment of the amenities of nearby residential properties;
  - (p) the proposal, if permitted would reduce the value of neighbouring residential properties;



- (q) the proposed use could exacerbate the existing problem of anti-social behaviour;
- (r) the service road was close to a pedestrian crossing and the traffic likely to be generated by the proposed use would create a hazard to pedestrians and other road users; and
- (s) the proposed use would affect have a detrimental impact on the vitality of Greywell and Park Parade.

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

- (1) although the Environmental Health Officer would have preferred the ducting to be raised above the roof height, he had no objections to the proposed extraction system; and
- (2) the applicants didn't own the residential property above the application premises so could not raise the extracting duct above roof height without the permission of the owners.;

The Committee discussed this application in detail together with the views raised by the deputees. Although there was some support for this application, a motion to grant permission failed. It was the majority opinion of the Committee that the odours likely to be generated by the proposed use would be detrimental to the amenities of residential properties in the area. The Committee also considered additional reasons for refusal relating to the impact of the proposed use on other retail functions, However, it was acknowledged that there were insufficient grounds to refuse the application for these reasons. It was therefore

RESOLVED that Application APP/13/01237 be refused for the following reason:

- 1 The proposed use of the premises would be detrimental to the amenities of residential properties in the area due to odours / fumes from the premises. It is therefore contrary to policies CS16 and DM5 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

**127 APP/13/00804 - Woodcroft Farm Development Site, Woodcroft Lane, Waterlooville**

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

Proposal: Development of 288 residential units comprising 9 x one bedroom, 110 x two bedroom, 124 x three bedroom and 45 x four bedroom, retention of existing farmhouse, new access road from Eagle Avenue, internal access roads, associated car parking, open space and landscaping and including works to trees under TPO 1931.

The Committee considered the written report of the Executive Head of Planning and Built Environment.

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

- (a) amended the description of the development as set in page (ii) of the agenda
- (b) set out an update to the CIL figure;
- (c) summarised responses from the County Ecologist, Housing Officer, Landscape Officer and Rights of Way, which were not available when the agenda was published;
- (d) revised the recommendation set out in the report.

During the meeting, the Committee received:

- (i) details of the latest response from Hampshire Highways; and
- (ii) an amendment to the revised recommendation set out in supplementary information.

The Committee was also advised at the meeting that the Drainage Engineer had no objections to the proposals and that the applicant had agreed to pay £60,000 towards the funding of a Community Officer for the development.

The Committee was addressed by Councillor Keast, who whilst not objecting to the proposal raised the following issues:

- (1) the report submitted did not include details of all the statutory responses thereby making it difficult for the Committee to reach a decision;
- (2) the infrastructure was currently operating at full capacity so improvements to Milton Road/Lovedean Lane need to be undertaken as a matter of urgency;
- (3) the phasing of the development was important and should be the subject of a condition in addition to being included in the Section 106 Agreement
- (4) the funding for the Community Team Leader should be sufficient to last the life time of the construction and initial occupation of the development;
- (5) the drives should be permeable to avoid the risk of flooding;

- (6) the planning condition set out in paragraph 7.6 of the report should be included in the agreed conditions;
- (7) small play areas within the development should be avoided as these could become hot spots for anti-social behaviour;
- (8) the school pitch was close to the proposed housing development and should adequately screened;
- (9) although the affordable housing was spread across the development there was a small concentration on the north western boundary;
- (10) the site should be accessible by 14m buses

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

- (A) where possible permeable drives would be required; the position of permeable drives would depend upon the surface water strategy;
- (B) all construction traffic would use Eagle Avenue;
- (C) only 5 properties would be accessible from Woodcroft Lane;
- (D) off site improvements to the Milton Road/Lovedean Junction would be given a high priority. As Eagle Avenue would be used by construction traffic it was not considered appropriate to complete improvement of this junction until after the works had been completed; the phasing of the off site works would be set out in the Section 106 Agreement;
- (E) it would be possible to require planting of advance nursery trees;
- (F) the Section 106 Agreement was the subject of negotiations with officers;
- (G) the County Council had agreed the route of the proposed access road;
- (H) the size of the proposed affordable housing exceeded the RSL standards;
- (I) the access to James Copse Road was for emergency use only and would incorporate lockable bollards; and
- (J) a condition would be imposed which would ensure that any site contamination was addressed

the Committee discussed this application in detail together with the issues raised by the depute. A majority of the Committee considered that the development complied with the Local Core Strategy and the National Planning Policy Framework. An additional condition requiring the use of advanced stage

nursery trees was considered appropriate to help protect the amenities of the area.

RESOLVED

(A) that application APP/13/0804 be granted permission subject to:

- (1) The completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 and other relevant legislation, incorporating the terms set out in paragraph 7.33 to this report (subject to such changes as the Executive Head of Planning and Built Environment and the Solicitor to the Council may determine);
- (2) subject to a condition requiring the planting of advance stage nursery trees and the following conditions set out below (subject to such changes, additions and substitutions as the Executive Head of Planning and Built Environment and the Solicitor to the Council may determine):
  - 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 No development hereby permitted shall commence until a Phasing Layout Plan has been submitted to and approved in writing by the Local Planning Authority. The development of the site shall be carried out in accordance with the approved phasing plan. Any amendment to the approved phasing programme must be first agreed in writing by the Local Planning Authority.

**Reason:** To ensure satisfactory comprehensive development and proper planning of the area.

- 3 No development hereby permitted shall commence on each phase until plans and particulars specifying the alignment, width, gradient and type of construction proposed for all footways, roads and individual accesses thereto (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for street lighting and for surface water disposal and a programme for the implementation and making up of the same have been submitted to and approved in writing by the Local Planning Authority. The implementation and making up of the same shall be completed in full accordance with such plans, particulars and programme as are thus approved by the Authority.

**Reason:** To ensure that they are constructed to satisfactory standard and, where appropriate a standard which will enable them to be taken over as publicly maintained highways and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 Construction of the development hereby permitted shall not commence on each phase until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels for that phase have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that site levels are adequately addressed in the interests of the character and amenity of the area and of neighbours having due regard to policies CS16 of the Havant Borough Local Plan Core Strategy 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2011.

- 5 Construction of the development hereby permitted shall not commence on each phase until an Arboricultural Impact Assessment and Method Statement including a pre-development meeting with the Council's Arboriculturalist has been submitted and agreed in writing by the Local Planning Authority. The proposed works shall be carried out in accordance with the approved details.

**Reason:** To ensure the trees are not adversely affected by the construction of the development and having due regard to policy DM8 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.

- 6 No development shall commence on each phase until a Construction Management Plan and Construction Method Statement to include a pre-commencement meeting with the Local Planning Authority, the routing of construction traffic, site management, hours of working, delivery hours, delivery and construction vehicle parking, materials store, site office, waste management, road cleaning, storage of chemicals and hydrocarbons and such other matters related to construction of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out

fully in accordance with the approved Construction Management Plan and Construction Method Statement.

**Reason:** To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of local residents, or to existing natural features and having due regard to policies DM8, DM10, and CS20 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.

- 7 Construction of the dwellings hereby permitted shall not commence on each phase until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policies CS16 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 No development hereby permitted shall commence on each phase until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

**Reason:** In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 No development hereby permitted shall be commenced on each phase until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works. The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part

of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 Construction of the dwellings hereby permitted shall not commence on each phase until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure for that phase have been first submitted to and approved in writing by the Local Planning Authority. No dwelling within that phase shall be occupied until completion of the installation of all its screening provision as is thus approved by the Local Planning Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

**Reason:** To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 11 Prior to the commencement of construction within any specified phase or defined area the development approved by this Planning Permission (as may be agreed in writing by the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded in writing by the Local Planning Authority.

- 1 A scheme of further investigation, based on the previously submitted GeoEnvironmental & Geotechnical report. The scope of the investigation shall be sufficient to:
- confirm the preliminary assessment of the nature and extent of contamination at the site,
  - inform an appropriate assessment of the risks to all receptors that may be affected, including controlled waters, and;
  - enable the appropriate design of remediation and/or risk mitigation measures (if required).

- 2 The results of the further investigation and risk assessment (1) and if appropriate, a method statement based on these results giving full details of the remediation and/or risk mitigation measures required, and how they are to be undertaken.
- 3 A verification report or statement (as appropriate) upon completion of the works set out in (2) [if any], confirming that measures undertaken have been implemented in accordance with the method statement, and have achieved the required performance standards. The verification report / statement shall provide details of any measures necessary for maintenance, further monitoring and reporting.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

**Reason:** To prevent future occupants of proposed residential properties being exposed to unacceptable risks from identified contamination & soil gas associated with automotive repair and landfill activity previously undertaken at the site, and to ensure that the site does not pose an unacceptable risk to the groundwater Source Protection Zone 1; having due regard to policies and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011), and DM17 of the Draft Local Plan (Allocations) 2012

- 12 Prior to the commencement of construction of any part of the development approved by this Planning Permission, a protocol for the identification & assessment of any unforeseen ground conditions shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the approved protocol shall be observed throughout the undertaking of all relevant construction activities.

**Reason:** For the protection of workers and the general public during the development of potentially contaminated land, and to prevent future occupants of proposed residential properties being exposed to unacceptable risks from unidentified &/or unexpected contamination that may be associated with previous activities undertaken at the site; having due regard to policies and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011), and DM17 of the Draft Local Plan (Allocations) 2012.



- 13 If, during development, contamination not previously identified at the site is found to be present, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an addendum to the Method Statement required under Condition 1, (2). This addendum shall detail how this unexpected contamination shall be dealt with, and the development shall not be carried out other than in accordance with the approved details.

**Reason:** For the protection of workers and the general public during the development of potentially contaminated land, and to prevent future occupants of proposed residential properties being exposed to unacceptable risks from unidentified &/or unexpected contamination that may be associated with previous activities undertaken at the site; having due regard to policies and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011), and DM17 of the Draft Local Plan (Allocations) 2012.

- 14 Construction of the buildings hereby permitted shall not commence on each phase until a specification of the provision to be made for the storage and disposal of refuse for that phase has been submitted to and approved in writing by the Local Planning Authority. The dwellings within that phase shall not be occupied until the implementation of such provision for refuse has been completed in full accordance with such an approved specification.

**Reason:** To safeguard the amenity of the locality and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework.

- 15 The development hereby permitted shall not commence on each phase until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.

**Reason:** To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 16 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles

and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year critical storm (with an allowance for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Those details shall include:

1. Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
2. A timetable for its implementation; and
3. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.
4. A written summary of the drainage strategy, including supporting Calculations.

**Reason:** To the policy aims of the National Planning Policy Framework (NPPF).

- 17 No development hereby permitted shall commence on each phase until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewerage disposal including proposed to serve the same, the treatment of existing water courses and ditches and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) for that phase have first been submitted to and approved in writing by the Local Planning Authority. No dwelling or building within that phase shall be occupied until completion of the implementation of its 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 CS16

and DM10 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan, and National Planning Policy Framework.

- 18 No development hereby permitted shall commence until the applicant has secured:-
- the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority in consultation with Hampshire County Council. The approved programme shall be fully adhered to unless otherwise agreed in writing by the Local Planning Authority.
  - the implementation of a programme of archaeological mitigation of impacts in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority in consultation with Hampshire County Council. The approved programme shall be fully adhered to unless otherwise agreed in writing by the Local Planning Authority.
  - Following completion of archaeological fieldwork the production of a report in accordance with an approved programme including where appropriate post - excavation assessment, specialist analysis and reports, publication and public engagement.

**Reason:** To safeguard the potential archaeological interest of the site and having due regard to policies CS11, DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 19 Prior to commencement, an Ecological Mitigation and Enhancement Scheme for the site shall be submitted for written approval to the Local Planning Authority. This Scheme should include (but not necessarily be restricted to) location, extent and timing of vegetation loss; protected species protection (including results of any updating surveys, details of lighting strategy methods to prevent harm or disturbance); location, extent and composition of habitat creation; location and ongoing management of mitigation features such as new habitat, ponds, bat and bird boxes. Development shall subsequently proceed in accordance with any such approved Plan, with all biodiversity mitigation enhancement features permanently retained in accordance with the approved Plan.

**Reason:** To conserve and enhance biodiversity in accordance with local and national planning policy.

- 20 The garages hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation without the prior written approval of the Local Planning Authority.

**Reason:** To ensure the retention of adequate on-site car parking and to discourage parking on the adjoining highway in the interests of highway safety and local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 21 No dwelling shall be occupied until space for the loading, unloading and parking of vehicles and cycles and has been provided within the site, surfaced and marked out in accordance with the approved plans. Such areas shall thereafter be retained and used solely for those purposes.

**Reason:** In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 22 Prior to the occupation of the development a Post Construction Certificate shall be submitted to the Local Planning Authority. The Certificate shall state that the development has attained a minimum standard of Level 3 of the Code for Sustainable Homes, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the development is carried out in accordance with policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework 2012.

- 23 Prior to the first occupation of the dwellings hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- i) plans showing the external appearance of the pumping station including any form of enclosure to the station;
- ii) a scheme for protecting the proposed dwellings from noise and vibration from the pumping station.

The pumping station shall thereafter be constructed and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the character and amenity of the area and neighbouring residents having due regard to policy

CS16 of the Havant Borough Local Plan Core Strategy which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.

- 24 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A/D/E and F of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) England) Order 2008, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.

**Reason:** In the interests of the character and amenities of the development having due regard to policy CS16 of the Havant Borough Local Plan Core Strategy 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012

- 25 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no alteration to the roof of the dwelling hereby approved including the addition of windows permitted by Part 1, Classes B/C of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, shall be constructed without the prior written approval of the Local Planning Authority.

**Reason:** In the interests of the character and amenities of the development having due regard to policy CS16 of the Havant Borough Local Plan Core Strategy which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.

- 26 The development hereby permitted shall not commence until a phasing plan for off site highway works has been submitted to and approved in writing by the Local Planning Authority. The off site highway works shall be completed in full accordance with such plans, particulars and programme as are thus approved in writing by the Authority.

**Reason:** To ensure that the required highway improvements are provided and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 27 The development hereby permitted shall not commence until a timetable for the diversion of the Bridleway, including details of any temporary or interim measures has been submitted to and approved in writing by the Local Planning Authority. The

bridleway diversion shall be completed in full accordance with such plans, particulars and programme as are thus approved in writing by the Authority.

**Reason:** To ensure the continuation of Bridleway route and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012

- 28 No dwelling shall be occupied until Car parking provision for that dwelling has been provided in accordance with plan 1924a-1011-m and such provision shall be permanently maintained.

**Reason:** To ensure the appropriate car parking provision and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan

- 29 Woodcroft Lane shall not be used for construction traffic other than for the installation of services for the 5 dwellings proposed with direct access off Woodcroft Lane. Details of those services where vehicular access is required from Woodcroft Lane shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To safeguard the amenities of neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan.

- 30 The development hereby permitted shall not commence until the arrangements, including the provision of a ramp from the site access road, for pedestrian access to Woodcroft School during school term have been submitted to approved in writing by the Local Planning Authority.

**Reason:** To safeguard the amenities of neighbouring properties and to ensure that full access to the school is available and not obstructed or frustrated during school hours and having due regard to policy CS16 of the Havant Borough Local Plan.

- 31 The development hereby permitted shall not commence until details of the proposed play equipment have been submitted to and approved in writing by the Local Planning Authority. The play equipment shall be provided and maintained in accordance with the approved details.

**Reason:** To ensure appropriate provision and having due regard to policy CS16 of the Havant Borough Local Plan.

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

Approved plans to be inserted.

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

- 33 Prior to the commencement of works on the site improvements to the Milton Road/Lovedean Lane junction shall be completed to the satisfaction of the local highway authority and prior to the to the occupation of the 150<sup>th</sup> dwelling the mini roundabout proposed on at the site entrance shall be substantially complete to the satisfaction of the highway authority.

**Reason:** In the interests of highway safety

- (B) In the event that the S106 is not completed by the 27th February 2014 (subject to such change as the Executive Head of Planning and Built Environment and the Solicitor to the Council may determine) that the application be REFUSED under delegated powers as not complying with the requirements of the Development Plan.

**The meeting commenced at 5.00 pm and concluded at 8.38 pm**

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