

HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 14 August 2014

Present

Councillor Mrs Shimbart (Chairman)

Councillors Brown, Buckley (Vice-Chairman), Heard, Hilton, Turner and Galloway

22 Apologies for Absence

Apologies for absence were received from Councillor Keast.

23 Minutes

RESOLVED that:

- (a) the Minutes of the meeting of the Development Management Committee held on 17 July 2014 were agreed as a correct record and signed by the Chairman; and
- (b) the minutes of the Site Viewing Working Party held on 7 August 2014 be received.

24 Matters Arising

There were no matters arising.

25 Declarations of Interest

There were no declarations of interests.

26 Chairman's Report

The Chairman reminded the Committee that full Council had adopted the Allocations Plan on 23 July 2014.

27 Matters to be Considered for Site Viewing and Deferment

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

28 Deputations

The Committee received the following deputations/representations:

- (1) Ms Thompson (objector) – Application APP/14/00633 – 11 Manor Way, Hayling Island (Minute 29)

- (2) Mr Jones (objector) – Application APP/14/00633 – 11 Manor Way, Hayling Island (Minute 29)
- (3) Mr and Mrs Graham (applicants) – Application APP/14/00633 – 11 Manor Way, Hayling Island (Minute 29)
- (4) Councillor Lenaghan (ward councillor) – Application APP/14/00633 – 11 Manor Way, Hayling Island (Minute 29)
- (5) Councillor Wilson (ward councillor) – APP/14/00633 – 11 Manor Way, Hayling Island (Minute 29)
- (6) Mr Broomhead (on behalf of the Mengham Fields Residents' Group) – Application APP/14/00488 – Development Site North of Goldring Close, Hayling Island (Minute 30)
- (7) Ms Knowles (owner of the AONB land and drainage ditch to the South East of the site) – Application APP/14/00488 Development Site North of Goldring Close, Hayling Island (Minute 30)
- (8) Mr Nash (applicant's representative) – Application APP/14/00488 Development Site North of Goldring Close, Hayling Island (Minute 30)
- (9) Councillor Wilson (councillor) – Application APP/14/00488 Development Site North of Goldring Close, Hayling Island (Minute 30)
- (10) Councillor Perry (ward councillor) – Application APP/14/00488 Development Site North of Goldring Close, Hayling Island (Minute 30)
- (11) Mr Nash (applicant's representative) – Application APP/14/00613 - 1 Hawthorne Grove, Hayling Island (Minute 31)

29 Application APP/14/00633 - 11 Manor Way, Hayling Island

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

Proposal: Retrospective planning application for rear dormer window, three roof lights on the front elevation and side window to gable end

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) included:

- (i) the written deputation submitted by Mrs Thomson;
 - (ii) a letter received from the applicants dated 6 August 2014;
 - (iii) the initial email sent to the Council from the applicants dated 14 November 2013 and a copy of the Council's response to this email;
 - (iv) a letter from Mr and Mrs Thompson; and
 - (v) comments received from Mr and Mrs Jones dated 9 August 2014.
- (b) gave details of corrections to the report and additional information submitted by the officers.

The Committee was addressed by the following deputees:

- (1) Ms Thompson, who, referring to the photos included in the report and presentation, objected to the proposal for the following reasons:
- (a) the development caused unacceptable harm to the amenity of neighbours to the south of the site through loss of privacy and overlooking;
 - (b) restrictive covenants prohibited further windows and an attic conversion on the application site;
- (2) Mr Jones, who objected to the proposal for the following reasons:
- (c) the development contravened planning conditions and restrictive covenants restricting development of the application site;
 - (d) although the fact that the development had been completed made it difficult for the Council to refuse this application, the reasons for withdrawing permitted development rights and imposing restrictive covenants on the site were still relevant;
 - (e) the patio doors and balconies, the subject of the application, gave rise to direct overlooking to the detriment of properties immediately to the south of the application site;

Mr Jones requested the Committee to refuse this application.

- (3) Mr and Mrs Graham, the applicants, who supported the application for the following reasons:

- (f) the development was required to accommodate an elderly relative;
 - (g) clarification was sought from the Council as to whether there were any restrictions before commencing the development. In view of the Council's response, the Council had indicated that permitted development rights applied and the development was constructed to conform with permitted development rights;
 - (h) this application was submitted at the request of the Council and "without prejudice" as the Council had given permission for the development to proceed within permitted development rights; and
 - (i) the removal of the tree screen in the garden of 156 prior to this development permitted overlooking of that property and removed their privacy: this application did not significantly increase the degree of overlooking;
 - (j) this development did not set a precedent, 19 Manor Way had patio doors of the same height and aspect;
 - (k) the Development complied with the Council's Borough and Hayling Island Design Guides;
 - (l) the imposition of additional conditions requiring further work would impose additional and unnecessary financial costs: full compensation would be sought
- (4) Councillor Lenaghan, who read the deputation submitted by Mr and Mrs Thompson referred to in a(i) above and on behalf of the objectors objected to the development for the following reasons:
- (m) the patio doors and balconies gave rise to overlooking to the detriment of the amenities and privacy of the occupiers of 154, 156 and 158 Seafront; in particular 156 Seafront;
 - (n) the tree screen was reluctantly removed because it was damaging the structure of the garage at 156 Sea Front;
 - (o) the development was in contravention of restrictive covenants controlling development of the application site
- (5) Councillor Wilson, who with reference to slides submitted prior to the meeting supported the application for the following reasons:
- (p) the development was constructed in accordance with permitted development rights and complied with Policy CS16;

- (q) the applicants had acted in good faith and any reasonable person would have interpreted the Council's response in the same way as the applicants;
- (r) the patio doors and balconies did not significantly increase the degree of overlooking;
- (s) 154 to 158 Sea Front were properties on the sea front and should be accustomed to being overlooked;
- (t) the removal of the tree screen gave rise to direct overlooking of 156 Sea Front before the development commenced; these trees had not been replaced; and
- (u) with the exception of the additional option included in the information circulated prior to the meeting, the options included in the report would burden the applicants with unnecessary additional costs.

Councillor Wilson urged the Committee to grant unconditional permission

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

- (1) the reasons for the withdrawal of permitted development rights when permission was granted in 1986 had not been recorded. However, it was reasonable to assume that the protection of the privacy of 154 to 158 Sea Front could have been an issue;
- (2) if the Council had not withdrawn the permitted development rights in 1986, this development could have been constructed without the need for an application for planning permission; and
- (3) the Council's initial response to the applicant was too simplistic.

The Committee discussed this application in detail together with the views raised by the deputees and an amendment to grant permission subject to all the conditions set out in the report., However the majority of the Committee considered that the development did not increase the degree of overlooking and was therefore acceptable. The Committee was advised that if it was minded to grant permission without requiring any changes to the development it should impose recommended conditions 2 and 3 as set out in the report. It was therefore

RESOLVED that Application APP/14/00633 be granted permission subject to the following conditions:

- 1 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows, doors or

other openings shall be constructed in any part of the dormer /dormer window on the rear roofslope hereby approved without the prior written approval of the Local Planning Authority.

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

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

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Reason: - To ensure provision of a satisfactory development.

(the meeting adjourned at 6.09pm and resumed at 6.18 pm)

30 **Application APP/14/00488 - Development Site North of Golding Close, Hayling Island**

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

Proposal: Reserved matters application for 131No. open market and affordable dwellings including 10No. one bed dwellings, 25No. two bed dwellings, 52No. three bed dwellings, 40No. four bed dwellings and 4No. five bed dwellings with associated residential curtilages, parking and turning areas, public open space and surface water attenuation features; and discharge of conditions 5, 6, 10, 15 and 21 of Planning Permission APP/14/00966 approved by appeal APP/X1735/A/13/2192777.

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

The Committee also received additional information, circulated prior to the meeting, which

- (1) updated the community involvement and representation sections;
- (2) included an additional recommended condition to the report relating to the eastern boundary hedge;
- (3) set out changes to the standard plans condition

During the meeting the Committee received an update on the number of representations received and details of additional matters raised by representations received since the agenda was published.

The Committee was addressed by the following deputies:

- (1) Mr Broomhead, who on behalf of the Mengham Fields Residents' Group, objected to the application for the following reasons:
- (a) the increase in the number of bedrooms would lead to an increase in the capacity threshold for the Tournerbury/Church Road junction to the detriment of road users including pedestrians and cyclists; a second access to St Margarets should be pursued in order to balance out traffic flows
 - (b) the proposed cycle/pedestrian access in St Margarets Road was partially un-adopted and unsuitable for the proposed usage;
 - (c) the proposal would have a detrimental impact on the AONB and the adjacent fields used by overwintering birds;
- (Mr Broomhead failed to complete his deputation within the allotted time slot)
- (2) Ms Knowles, the owner of the AONB land and drainage ditch to the South East of the site, who objected to the application for the following reasons:
- (d) the flood assessment had not been modified to take into account changes to the scheme since the outline stage;
 - (e) plots 115 to 118 should be moved away from the boundary;
 - (f) it was premature to grant permission for the specific layout proposed as the drainage scheme had not been approved: such a scheme should be submitted to the public for consultation and the Development Management Committee for approval
- (Ms Knowles requested the Committee to defer consideration until all the relevant information had been submitted)
- (4) Mr Nash, the applicant's representative, who supported the application for the following reasons:
- (g) the site was within the Council's adopted Allocations Plan;
 - (h) the development would help the Council meet its housing supply targets;
 - (i) the proposal had been the subject of extensive public consultation and amendments made to address concerns raised during the consultation process;

- (j) no objections had been received from statutory consultees;
- (k) the development was of a high quality with a varied mix to reflect market demand and followed similar design themes to the indicative layout presented at the outline stage;
- (l) works had commenced on clearing the drainage system to overcome the existing drainage problems on the site; and
- (m) boundary landscaping would be reinforced to reduce the impact on adjoining properties and there would be a very limited impact on the Area of Outstanding Natural Beauty.

Mr Nash urged the Committee to grant permission

- (5) Councillor Wilson, who raised the following issues:
 - (n) care should be taken to improve the junction with St Margarets Road to ensure that the development did not exacerbate the existing traffic problems in the area and in the interests of highway safety for other road users including pedestrians and cyclists;
 - (o) the layout and internal structure should be amended to ensure that there was a safe cycle route through the development;
 - (p) Footpath 101 should be upgraded to provide a pedestrian/cycle route;
 - (q) the footpath/cycle routes should be made up to the same standard as the Hayling Billy Trail; and
 - (r) the developers should be urged to seek an access through plots 117/118.
- (6) Councillor Perry, who objected to the proposal for the following reasons:
 - (s) the proposed housing mix did not conform with that approved by the Inspector at the appeal and so had unintended consequences;
 - (t) the emergency exit plans to St Margarets Road had not yet been approved and therefore compromised the safety of able bodied and disabled pedestrians and cyclists;
 - (u) inadequate boundary screening and protection was being provided for Brent Geese and waders on the adjacent field and also the Area of Outstanding Natural Beauty;

- (w) it was premature at this stage to agree a housing layout before the foul and surface water drainage system had been submitted to and approved by the Council;
- (x) the open space provision was inadequate compared with similar developments in Emsworth and Portsmouth; and
- (y) the plans and documents were inaccurate in a number of respects: this application should only be considered when the applicant has resubmitted a complete and accurate application supported by a foul and surface water drainage scheme that had been approved by Southern Water;

(Councillor Perry urged the Committee to refuse this application and require the applicant to submit a complete application)

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

- (A) the highway net work was close but not yet at full capacity and current modelling demonstrated that the traffic likely to be generated by this scheme would not have a significantly harmful cumulative impact on the highway network. Such modelling covered a range of different housing compositions and it would therefore be concluded that the transport assessment submitted in respect of the outline application (which included an indicative mix of house sizes) was equally applicable to the specific mix of house types now proposed. A refusal on highway grounds could not therefore be justified;
- (B) the Inspector had not specified the housing mix for this site. The proposed housing mix was in accordance with the Council's policies and PUSH guidelines. All relevant statutory consultees had been consulted on this mix and had not raised any objections to the application;
- (C) Condition 19 of the outline permission prohibits the construction of any of the houses until details of the access provision from St Margarets Road had been agreed by the Council;
- (D) the proposal had been designed to minimise the impact on the Chichester Harbour Area of Outstanding Natural Beauty and to overcome the concerns raised by the Chichester Harbour Conservancy at the consultation stage.

The Committee discussed this application in detail together with the views raised by the deputees. The majority of the Committee considered that the housing mix was acceptable and it was therefore:

RESOLVED that application APP/14/00488 be granted permission subject to:

- (A) the variation of the S106 agreement attached to planning permission APP/12/00966 as described at paragraph 7.27 of the report, and
- (B) the conditions imposed on the outline Planning Permission APP/12/00966 except conditions 5, 6, 10, 15 and 21 which are hereby discharged, and
- (C) the following conditions (subject to the amendments set out in (D) below):

- 1 The development hereby permitted shall be begun before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved.

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

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

Site Location P 01 received 12/05/2014
 Block Plan P 02 rev H received 28/07/2014
 Site Plan 1 of 5 P 03-1 rev D received 22/07/2014
 Site Plan 2 of 5 P 03-2 rev C received 22/07/2014
 Site Plan 3 of 5 P 03-3 rev C received 22/07/2014
 Site Plan 4 of 5 P 03-4 rev D received 28/07/2014
 Site Plan 5 of 5 P 03-5 rev D received 22/07/2014
 Fencing Plan P 04 rev B received 12/05/2014
 Housing Mix Plan P 05 rev B received 12/05/2014
 Existing Site Section AA P 06 received 12/05/2014
 Proposed Site Section AA A1 P 07 received 12/05/2014
 Existing Site Section BB P 08 received 12/05/2014
 Proposed Site Section BB P 09 received 12/05/2014
 Existing Site Section CC P 10 received 12/05/2014
 Proposed Site Section CC P 11 received 12/05/2014
 Street Elevations P 12 received 12/05/2014
 Arboricultural Impact Appraisal and Method Statement received 21/07/2014
 Tree Protection Plan received 21/07/2014
 Landscape Proposals 1 of 5 ID591- 01 E received 31/07/2014
 Landscape Proposals 2 of 5 ID591- 02 D received 31/07/2014
 Landscape Proposals 3 of 5 ID591- 03 D received 31/07/2014
 Landscape Proposals 4 of 5 ID591- 04 D received 31/07/2014
 Landscape Proposals 5 of 5 ID591- 05 E received 31/07/2014
 Plant Schedule and Soft Landscaping Specification ID591-06 E received 28/07/2014
 Construction Management Statement V5 received 31/06/2014
 Construction Management Plan 001 rev B received 23/07/2014
 Footpath and Cycle Plan

Flood Risk Assessment and Outline Drainage Strategy
received 12/05/2014
Planning Statement received 12/05/2014
Design and Access Statement received 12/05/2014
Biodiversity Mitigation, Enhancement and Management Plan
received 12/05/2014
Affordable Housing Statement received 12/05/2014
Refuse Vehicle Tracking 4159-115 received 21/07/2014

Dwelling Details

TYPE H 02 PLANS P-H02-01 rev A received 10/06/2014 and
ELEVATIONS P-H02-02 received 12/05/2014
TYPE H 06 PLANS P-H06-01 rev A received 10/06/2014 and
ELEVATIONS P-H06-02 received 12/05/2014
TYPE H 07 PLANS P-H07-01 rev A received 10/06/2014 and
ELEVATIONS P-H07-02 received 12/05/2014
TYPE H 08 PLANS P-H08-01 rev A received 10/06/2014 and
ELEVATIONS P-H08-02 received 12/05/2014
TYPE H 09 PLANS P-H09-01 rev A received 10/06/2014 and
ELEVATIONS P-H09-02 received 12/05/2014
TYPE H 10 PLANS P-H10-01 rev A received 10/06/2014 and
ELEVATIONS P-H10-02 received 12/05/2014
TYPE H 11 PLANS P-H11-01 rev A received 10/06/2014 and
ELEVATIONS P-H11-02 received 12/05/2014
TYPE H 12 PLANS P-H12-01 rev A received 10/06/2014 and
ELEVATIONS P-H12-02 received 12/05/2014
TYPE H 13 PLANS P-H13-01 rev A received 10/06/2014 and
ELEVATIONS P-H13-02 received 12/05/2014
TYPE H 14 PLANS P-H14-01 rev A received 10/06/2014 and
ELEVATIONS P-H14-02 received 12/05/2014
TYPE H 15 PLANS P-H15-01 rev A received 10/06/2014 and
ELEVATIONS P-H15-02 received 12/05/2014
TYPE H 15 PLANS VARIANT P- H15-03 and ELEVATIONS
VARIANT P-H15-04 received 22/07/2014
TYPE H 25 PLANS P-H25-01 rev A received 10/06/2014 and
ELEVATIONS P-H25-02 received 12/05/2014
TYPE H 25 PLANS VARIANT P-H25-03 and ELEVATIONS
VARIANT P-H25-04 received 22/07/2014
TYPE S 01 PLANS P-S01-01 rev A received 10/06/2014 and
ELEVATIONS P-S01-02 received 12/05/2014
TYPE S 02 PLANS P-S02-01 rev A received 10/06/2014 and
ELEVATIONS P-S02-02 received 12/05/2014
TYPE S 05 block A FLOOR PLANS P-S05-01 rev A, ROOF
PLAN P-S05-02 rev A, ELEVATIONS SHEET 1 P-S05-03 rev A
and ELEVATIONS SHEET 2 P-S05-04 rev A received
10/06/2014
PLOTS 38-41 GROUND FLOOR PLANS P-B38-01, FIRST
FLOOR PLANS P-B38-02, ROOF PLANS P-B38-03
ELEVATIONS SHEET 1 P-B38-04 and ELEVATIONS SHEET
2 B38-05 received 10/07/2014

PLOTS 64-66 GROUND FLOOR PLANS P-B64-01, FIRST FLOOR PLANS P-B64-02, ROOF PLANS P-B64-03 ELEVATIONS SHEET 1 P-B64-04 and ELEVATIONS SHEET 2 B64-05 received 10/07/2014
 PLOTS 86-88 GROUND FLOOR PLANS P-B86-01, FIRST FLOOR PLANS P-B86-02, ROOF PLANS P-B86-03 ELEVATIONS SHEET 1 P-B86-04 and ELEVATIONS SHEET 2 B86-05 received 10/07/2014
 Garage P-GAR-01 received 12/05/2014
 Refuse + Cycles P-REF-01 received 12/05/2014
 Garden Store P-SHE-01 received 12/05/2014
 S+S sub station P-SUB-01 received 12/05/2014
 Materials Palette A & B P-PAL-AB received 12/05/2014
 Materials Palette C & D P-PAL-CD received 12/05/2014
 Materials Palette E & F P-PAL-EF received 12/05/2014
 Materials Palette G & H P-PAL-GH received 12/05/2014

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall commence until the proposed 2.4 metre high acoustic fencing to the eastern site boundary shall be installed as shown on Construction Management Plan 001 rev B and shall remain in place until construction works are completed or unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure that measures are provided in the interests of bio-diversity and protected species having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 No development shall commence until a plan is submitted indicating which plots will be built with which material palette. No light weatherboarding shall be used at first floor level on dwellings adjacent to the eastern boundary of the site. The development shall thereafter be completed in accordance with the approved details.

Reason: In the interests of the amenities of the area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A and E of the 2008 Order, as amended, shall be erected within the curtilage of plots 14, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 45, 57, 64, 65, 66, 86, 87, 88, 106, 107, 127, 129, 128, 130 and

131 without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the area and the root protection zones of the trees to be retained within the site 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 2012.

- 6 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no alteration to the roofs of plots 1, 2, 3, 23, 24, 25, 52, 53, 54, 55, 56, 57, 59, 131, 130, 129, 128 and 127 hereby approved, including the addition of windows permitted by Part 1, Classes B and C of the 2008 Order as amended, shall be undertaken without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the area and having due regard to policies CS11 and 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 walls, fences or other means of enclosure of any kind permitted by Part 2, Class A of the 2008 Order as amended shall be erected to the rear boundaries of plots 131, 130, 129, 128 and 127 without the prior written approval of the Local Planning Authority.

Reason: In the interests of the protection of the eastern boundary hedge and having due regard to policies CS11, DM8 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 The proposed works shall be carried out in accordance with the Arboricultural Impact Assessment and Method Statement and Tree Protection Plan prepared by Barrell Tree Consultancy dated 21 July 2014.

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) 2011 and National Planning Policy Framework, March 2012.

- 9 The eastern boundary hedge shall be replanted and reinforced in accordance with the submitted landscaping proposals hereby approved and such landscaping works shall be implemented within the first planting season following the commencement of

development on site unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure that measures are provided in the interests of the visual amenity of the adjacent AONB, bio-diversity and protected species 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 2012.

- (D) Such amendments to condition 2 as the Executive Head of Planning and Built Environment considers necessary to ensure that this condition reflected the amendments made to the application as set out in the additional information circulated prior to the meeting and those amendments reported at the meeting.

31 Application APP/14/00613 - 1 Hawthorne Grove, Hayling Island

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

Proposal: Demolish existing dwelling and construct part of access road to serve adjacent development land to south (pursuant to Outline Planning Permission APP/12/00966 approved on appeal ref APP/X1735/A/13/2192777 for 131 dwellings).

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 gave details:

- (a) of additional representations received since the agenda was published; and
- (b) of additional conditions and changes to the standard plans condition.

During the meeting the Committee was advised of changes to the following conditions:

- (a) Condition 3 to be amended so as to permit demolition or development prior to the erection of the acoustic fence provided that such works were not undertaken during the over wintering bird season; and
- (b) Condition 6 be amended so as to clarify which part of Beech Grove should not be used after the access road had been completed

The Committee was addressed by Mr Nash, the applicant's representative, who supported the application for the following reasons:

- (1) the applicant had amended the application to:

- (a) overcome ecological concerns;
- (b) overcome concerns regarding the impact of the development on 3 Hawthorne Grove; and
- (c) provide a safe access to the site and ensure that this access did not cause danger and inconvenience to users of Beech Grove and Hawthorne Grove;

In response to questions raised by a member of the Committee, the officers gave details of changes made to address the concerns of the occupier of 3 Hawthorne Grove:

The Committee discussed this application in detail together with the views raised by the depute. The Committee considered that the proposal (as amended) was acceptable. It was therefore

RESOLVED that Application APP/14/00613 be granted permission subject to:

- (A) the following conditions (subject to the amendments set out in (B) below):

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

Location Plan received 1 July 2014
Engineering Layout ref 4159 -100 rev F received 24 July 2014
Surface Finishes ref 4159 -101 rev D received 24 July 2014
Construction details ref 4159 -104 rev D received 24 July 2014
Longitudinal Sections and Cross Sections received 1 July 2014
Construction Management Plan ref T002 received 28 July 2014
Construction Management Statement V3 received 31 July 2014
Arboricultural Impact Appraisal and Method Statement received 21 July 2014
Tree Protection Plan ref 14207- BT2 received 21 July 2014

Reason: - To ensure provision of a satisfactory development.

- 3 No demolition or development shall commence until the proposed 2.4 metre high acoustic fencing to the eastern site boundary shall be installed as shown on Construction Management Plan 002 rev A and shall remain in place until

construction works are completed or unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure that measures are provided in the interests of bio-diversity and protected species having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 The proposed works shall be carried out in accordance with the Arboricultural Impact Assessment and Method Statement and Tree Protection Plan prepared by Barrell Tree Consultancy dated 21 July 2014.

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) 2011 and National Planning Policy Framework, March 2012.

- 5 In accordance with the plans hereby permitted the private un-made lane at the south edge of Beech Grove shall be resurfaced or left in no worse condition than prior to works commencing.

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.

- 6 In accordance with the plans hereby permitted when the access road has been completed and is in use the existing Beech Grove access shall not be used for construction traffic associated with the implementation of the development the subject of Planning Permission APP/12/00966.

Reason: In the interests of the retained Oak tree and the amenities of the area and having due regard to policies DM8 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

7. Demolition, clearance, excavation, road or construction works shall take place only between the hours of 0800 and 1800 hours on Mondays to Saturdays and not at all on Sundays and all recognised public holidays.

Reason: To protect the amenity of adjoining residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

8. No bonfires shall take place on the site during demolition, clearance and construction.

Reason: To protect the health of trees and natural features to be retained and in the interests of residential amenity and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- (B) Such amendments to conditions 2, 3 and 6 as the Executive Head of Planning and Built Environment considers necessary to ensure that:
- (i) Condition 2 reflected the amendments made to the application as set out in the additional information circulated prior to the meeting and those amendments reported at the meeting;
 - (ii) Condition 3 permitted demolition or development prior to the erection of the acoustic fence provided that such works were not undertaken during the over wintering bird season; and
 - (iii) Condition 6 clarified which part of Beech Grove should not be used after the access road had been completed.

The meeting commenced at 5.00 pm and concluded at 8.00 pm

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Chairman