

THE BOROUGH COUNCIL OF HAVANT

At a meeting of the Development Management Committee held on 9 December 2010.

Present:

Councillor P Buckley (in the Chair)

Councillors: Mrs A Buckley, B Gibb-Gray, D Keast, Mrs E Shimbart, J Smith and M Wilson

175 APOLOGIES FOR ABSENCE

There were no apologies for absence.

176 MINUTES

RESOLVED that

- (a) the minutes of the meeting held on [18 November 2010](#) and the adjourned meeting held on [22 November 2010](#) be approved and signed by the Chairman; and
- (b) the minutes of the Site Viewing Working Party held on 2 December 2010 be noted

177 MATTERS ARISING

There were no matters arising from the minutes of the meetings held on 18 and 22 November 2010.

178 DECLARATIONS OF INTERESTS

Councillor Mrs Buckley declared a personal interest in application APP/10/00769 (Minute 184) as she was a member of the Chichester Harbour Conservancy.

Councillor Wilson declared a personal and prejudicial interest in application APP/10/00796 (Minute 188) as he was acquainted with one the deputees through membership of an organisation.

Councillor Gibb Gray declared a personal but not prejudicial interest in application APP/10/00612 (Minute 190) as he was acquainted with the owner of 77 Horndean Road.

Councillor Keast declared a personal but not prejudicial interest in application APP/10/00796 (Minute 188) as he was acquainted with one of the objectors.

179 CHAIRMAN'S REPORT

The Chairman reported that the tandem meetings of this Committee and Winchester City Council's Planning Development Control Committee would be held on 15 December 2010 at 9.30 am in the Bapsy Hall, Guildhall, Winchester to determine an application for the 2nd phase of development at Old Park Farm, Waterlooville by Taylor Wimpey Southern Counties.

180 MATTERS TO BE CONSIDERED FOR SITE VIEWING OR DEFERMENT

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

181 DEPUTATIONS/REPRESENTATIONS

The Committee received the following deputations/representations:

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|------|-------------------------------------|--|
| (1) | Mr Harris (objector) | Application APP/10/00647 - Crows Nest PH, 64 Hazleton Way, Waterlooville (Minute 186) |
| (2) | Ms Jubb (applicant's agent) | Application APP/10/00647 - Crows Nest PH, 64 Hazleton Way, Waterlooville (Minute 186) |
| (3) | Mr Loveday (objector) | Application APP/10/00525 - 4 Blackdown Crescent, Havant (Minute 187) |
| (4) | Mrs Ayling (applicant) | Application APP/10/00525 - 4 Blackdown Crescent, Havant (Minute 187) |
| (5) | Mrs Ponsonby (ward councillor) | Application APP/10/00525 - 4 Blackdown Crescent, Havant (Minute 187) |
| (6) | Mr Lancaster (objector) | Application APP/10/00796 - Fern House, Mill Lane, Langstone (Minute 188) |
| (7) | Mr HARRIS (applicant) | Application APP/10/00796 - Fern House, Mill Lane, Langstone (Minute 188) |
| (8) | Councillor Bolton (ward councillor) | Application APP/10/00796 - Fern House, Mill Lane, Langstone (Minute 188) |
| (9) | Mrs Woolgar (objector) | Application APP/10/00669 - Former St John Ambulance Headquarters, Convent (Minute 189) |
| (10) | Mr Douglas (applicant) | Application APP/10/00612 - Jingles Hotel, 77 Horndean Road, Emsworth (Minute 190) |

182 **APPLICATION APP/10/00616 – 14 LEIGH ROAD, HAVANT**

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

Proposal: Retention of greenhouse to rear

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

RESOLVED that planning application APP/10/00616 be granted retrospective permission.

183 **APPLICATION APP/10/00582 – SOUTHMOOR DEPOT, 2 PENNER ROAD, HAVANT**

Proposal: Change of use to provide MOT station (Bay 2) within existing vehicle maintenance building.

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

RESOLVED that planning application APP/10/00582 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 use hereby permitted shall not open to the public before 0630 hours or remain so open after 1730 hours on Monday to Friday and before 0630 hours or remain so open after 1500 hours on Saturday, Sunday and recognised Public Holidays
Reason: To protect the amenities of the area and having due regard to saved Policy PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework and Planning Policy Guidance 23.

184 **APPLICATION APP/10/00769 – FORESHORE AT SOUTH HAYLING, SEA FRONT, HAYLING ISLAND**

Proposal: Change of use to provide MOT station (Bay 2) within existing vehicle maintenance building.

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

The Committee was advised at the meeting that:

- (a) Natural England, the Environment Agency and Chichester Harbour Conservancy had raised no objections to the proposal; and
- (b) no comments had been received from Chichester District Council, County Estates Department, Hampshire Wildlife Trust, HCC Environment Department and Planning Policy.

RESOLVED that planning application APP/10/00769 be granted permission.

185 **APPLICATION APP/10/00438 - LAND SOUTH OF EASTBOUND PETROL SERVICE, EMSWORTH BYPASS, EMSWORTH**

Proposal: Erection of a new 24 hour petrol filling station and forecourt, including canopy, 5No. pumps, underground tanks, sales building, jet wash, parking and other associated works.

The Committee considered the written report and recommendation of the Executive Head of Planning and Built Environment. An amended site layout plan was displayed at the meeting. Details of additional conditions to overcome concerns raised by the Environment Agency were reported at the meeting.

Appendices A, C and D were circulated in an addendum prior to the meeting.

Concerns were raised about:

- (a) the need for arrangements to be agreed by the Fire Authorities in Hampshire and West Sussex to ensure that the nearest fire service to the site would respond to any emergency on the application site;
- (b) without a sustainable access to the site, the proposal would be isolated from Emsworth and would not therefore, contribute to the economic vitality of the village; and
- (c) The site formed part of an area which should be developed on a comprehensive basis and the proposal would represent a form of undesirable piecemeal development.

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

- (a) the Highways Agency and Fire Service had been consulted on the application and raised no objections; and
- (b) although the applicant had no control of the land required for a wider footpath link outside the site, it had agreed to enter into a legal agreement to provide £5000 towards such a link

The Committee felt that a condition should also be imposed requiring details of the proposed lighting to be submitted to and approved by the Council prior to commencement of the scheme to safeguard the amenities of the area

RESOLVED that planning application APP/10/00438 be granted permission subject to:

(A) the applicant entering into legally binding arrangements to secure a contribution of £5000 towards the provision of a foot/cycle way providing access to Emsworth; and

(B) 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 buildings hereby permitted shall not commence until samples and details of all external facing and roofing materials, and the boundary treatments to the site, have been submitted to and approved in writing 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 saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

(3) The development hereby permitted shall be used as a petrol filling station with ancillary A1 retail sales and shall not be used for the servicing, repair or sale of motor vehicles.

Reason: In the interests of amenity and highway safety and having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

(4) No development hereby permitted shall commence 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 commence 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 saved Policies D1 and L7 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 25.

- (5) Provision shall be made for the storage and disposal of refuse in accordance with the details hereby approved. The development hereby permitted shall not commence until the implementation of such provision for refuse has been completed in full accordance with such an approved specification.

Reason: To safeguard the amenities of the locality and having due regard to saved Policies D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

- (6) No development hereby permitted shall commence until a written program of archaeological work in accordance with a written Scheme of Investigation that has been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details

Reason: To afford opportunity to excavate the site before development commences and having due regard to saved Policies HE14 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

- (7) No development hereby permitted shall be commenced 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 saved Policies D1, L6, L7, of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

- (8) Prior to the commencement of the development hereby approved, details,

including a timetable, for ground clearance works and measures to be taken to avoid any risk of harm to any nesting birds and/or reptiles, shall be submitted to and approved in writing by the Local Planning Authority. Clearance works shall only be undertaken in accordance with the details thus approved.

Reason: In the interests of biodiversity in accordance with saved Policy NC5 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 9.

- (9) No development hereby permitted shall commence until plans and particulars specifying a scheme to dispose of foul and surface water and to install oil and petrol interceptors have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Local Planning 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 saved Policies D1, PC1 and PC3 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statements 23 and 25.

- (10) No development hereby permitted shall commence until plans and particulars specifying a scheme of CCTV coverage of the site has been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such CCTV provision in full accordance with such plans and particulars as are thus approved by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and protect the security of employees and visitors to the site, and having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

- (11) Development shall not begin 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 scheme shall be implemented before the development is

completed and thereafter managed and maintained in accordance with the approved details. 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

Reason

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance. Annex F of Planning Policy Statement 25: Development and Flood Risk requires that surface water arising from a developed site should, as far as is practicable, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development, while reducing the flood risk to the site itself and elsewhere, taking climate change into account.

- (C) an additional condition requiring the submission of details of lighting on the site to be submitted to and approved by the Council prior to the commencement of the works to safeguard the amenities of the area: the wording of this condition to be determined by the Executive Head of Planning and Built Environment.

186 APPLICATION APP/10/00647 - 64 HAZLETON WAY, WATERLOOVILLE

Proposal: Removal of Condition 8 of Planning Permission 09/53949/008 to remove the restriction on the quantity of beach material that can be moved per annum.

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

The Committee also considered addenda circulated prior to the meeting, which attached:

- (i) a streetscene view of how the proposed dwellings would appear from Hazleton Way; and
- (ii) appendices B to F of the report;

The Committee was addressed by Mr Harris, who objected to the proposal for the following reasons:

- (1) there had been insufficient marketing of the site to prove that a public house on the site would not be viable; and
- (2) there was not an adequate provision of similar accessible community buildings in the locality as required by Saved Policy CS1.

The Committee was also addressed by Ms Jubb, the applicant's agent, who supported the application on the following grounds:

- (A) the applicants had marketed the Crows Nest but had not received any viable Offers even from the existing tenants of the site. It was not economically viable to continue operating a public house on this site;
- (B) Interest in developing the site had been expressed by the Free Masons for using the site as a lodge but this interest had been withdrawn following pre-application discussions with the Council; and
- (C) the concerns raised by the Urban Design Officer were not insurmountable and could be resolved without the need to refuse permission.

Ms Jubb advised the Committee that the current marketing scheme for this site would expire in February 2011 and that her client would agreeable to the Committee deferring consideration of the application until the end of February 2011.

The Committee discussed the impact of the proposal on the character of the area, the over-intensive use of the site and information submitted regarding the marketing of the site. The Committee,

RESOLVED that planning application APP/10/00647 be refused for the following reasons

- (1) Insufficient information has been submitted with regard to viability information and the nature and type of marketing the Public House has been subject to and it has not, therefore, been demonstrated that this building is no longer capable of serving local needs as a community use. The proposal is therefore contrary to saved Policy CS1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.
- (2) Development in the manner proposed, by virtue of the height, mass and proportions of the dwellings, coupled with the narrow spacing between the dwellings, would result in a cramped and congested form of development which contrasts with the existing character of the local area and which would

have an adverse effect on the visual amenities and character of Hazleton Way. The proposal is therefore contrary to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Policies BE1 and CC6 of the South East Plan, and PPS1 and PPS3.

- (3) The proposal would constitute an over-intensive use of the site in that the siting of the proposed car parking would dominate the frontage of the properties combined with the limited space around and between buildings would result in a cramped layout and have an adverse effect on the visual amenities and character of Hazleton Way. The proposal is therefore contrary to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Policies BE1 and CC6 of the South East Plan, and PPS1 and PPS3.

187 APPLICATION APP/10/00525 - 4 BLACKDOWN CRESCENT, HAVANT

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

Proposal: Part retrospective application for fencing and railings on roof of single storey extension.

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

Details of the applicants' responses to comments made by objectors and their concerns about a breach of their human rights under Article 8 of the Human Rights Act were reported at the meeting.

The Committee noted that Article 8 of Schedule 1 to the Human Rights Act 1998 was a qualified right. Provided that the Committee acted in accordance with the Town and Country Planning Act 1990 and subsequent regulations and when making a decision struck a balance between the demands of the general interest of the community and the requirement of the protection of the individual's fundamental rights, it could determine this application.

Information submitted by Mr Loveday, an objector, were circulated as an addendum prior to the meeting.

The Committee was addressed by Mr Loveday, who objected to the proposal for the following reason:

- (1) the proposal adversely affected the outlook from, and light available to his rear garden.

During his deputation, Mr Loveday referred to a personal dispute with the applicant. The Chairman reminded Mr Loveday that he should only refer to material planning considerations.

The Committee was also addressed by Mrs Ayling, the applicant, who supported the application on the following grounds:

- (A) a trellis, in some form, had been attached to the boundaries over the past 16 years to protect their privacy, especially their disabled son;
- (B) the railings were to be erected to define the boundaries of the site; and
- (C) the applicant was not aware of the need for planning permission when the trellis was affixed.

Councillor Ponsonby addressed the Committee and making reference to the Committee's consideration of application APP/10/00525 raised the following concerns:

- (a) the detrimental impact of the railings and the trellising at the rear of the site on neighbours;
- (b) the proposal would create an undesirable precedent which would make it difficult to refuse further similar applications.

Councillor Ponsonby requested the Committee to take into account, when considering this application, the following:

- (1) the fact that this a retrospective application;
- (2) the unusual aspect of the railings; and
- (3) the need to respect privacy.

In response to questions and concerns raised by members, the officers advised that:

- (a) the trellis at the rear of the property was 0.3 to 0.6 metres above permitted development rights; and
- (b) The Committee was advised that as this was a retrospective permission, it was necessary, if the Committee wished to refuse permission to consider the expediency of taking enforcement action. The Committee was reminded that any enforcement action should be commensurate with the breach of planning control. When considering the merits of taking action, the Committee was required to look at whether the breach of planning control unacceptably affected the public amenity, or the existing use of the land and buildings merited protection in the public interest. The officers considered that trellising to the front and rear of the property did not significantly impact upon neighbours to such an extent as would merit taking enforcement action.

The Committee discussed this application in detail including a motion to refuse the application and taken enforcement action to remedy the harm created by the erection of the trellis.

It was considered that whilst the railings were visually intrusive, the trellising did not have an overbearing impact on neighbouring parties. It was therefore,

RESOLVED that planning application APP/10/00525 be refused for the following reason:

- (1) The proposed railings located at first floor level on the rear elevation are considered to be visually intrusive and would give rise to the use or the perception of the use of the flat roof as a balcony. This would adversely affect the amenities of adjacent properties and is considered to be an unneighbourly form of development. This would be contrary to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework and Planning Policy Statement 1.

188 APPLICATION APP/10/00796 - FERN HOUSE, MILL LANE, LANGSTONE, HAVANT

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

Councillor Wilson declared a personal and prejudicial interest in this application as he was acquainted with one of the deputies via membership of an organisation: he withdrew from the meeting room during consideration of this matter.

Proposal: Fell 2No. Sycamore trees and 1No. Ash tree. Crown reduce by 20%, crown lift by 6m and reshape 1No. Holly tree (as an alternative to works to Holly tree approved under APP/10/00476). All subject to TPO 1661 and/or located in Mill Lane Conservation Area.

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

The Committee was advised at the meeting that;

- (i) the application had been amended to remove references to the crown reduction and lifting of the Holly Tree;
- (ii) only one of the sycamore trees was protected by a tree preservation order: the other was within a conservation area;
- (iii) one letter of representation, which raised no additional matters, had been received since the agenda and addenda had been published.

The Committee also considered addenda circulated prior to the meeting, which gave details of additional representations received since the agenda had been published.

The Committee was addressed by Mr Lancaster, a resident who spoke with the support of the Langstone Residents' Association and Langstone Village Association, who objected to the application for the following reasons:

- (A) the loss of the trees would adversely affect the character of the area and in particular would be detrimental to the special character of Mill Lane;
- (B) the proposal would represent an undesirable precedent which could make it difficult for the Council to refuse similar applications in the future and result in the loss of the rural and leafy character of Mill Lane;
- (C) the applicant must have been aware of the problems of light penetration to the house when he purchased the property;
- (D) the arboriculturalist's advice was subjective; and
- (E) the loss of trees along Mill Lane would lead to a loss of privacy to the occupiers of properties in this lane;

Mr Lancaster requested that, if the Committee was minded to grant permission to require the replacement of a minimum of two trees.

The Committee was also addressed by Mr Harris, the applicant, who supported the application on the following grounds:

- (i) the application followed discussions with the officers;
- (ii) a tree surgeon had advised that the trees were diseased and the best course of action was to remove the them;
- (iii) the trees were blocking light into his property;
- (iv) Mill Lane had not always been a highway bounded by trees along its whole length; and
- (v) although the objections related to the retention of trees, there was little objection when a large number of trees were felled to make way for the development of Harbourside.

The Committee was addressed by Councillor Bolton who objected to the proposal on the following grounds:

- (a) that the trees were significant features in the locality and appeared to be in adequately sound and healthy condition. Their proposed felling would result in

- undue loss and detriment to the visual amenities of the Langstone Conservation Area: a more appropriate course of action would be through management of the trees' size and impact through a scheme of approved surgery;
- (b) the property was on the north of Mill Lane and the trees on the south side of the lane would absorb most of the light. Therefore, the loss of the trees was unlikely to lead to a significant increase in light to Fern House; and
 - (c) the proposal was contrary to PPS5 and Saved Policy L6.

In response to questions raised by Members, the officers advised that:

- (1) the trees were in a reasonable condition but were growing too close to each other;
- (2) the trees were not good specimens but it was possible to remove just 2 trees;
- (3) it would be acceptable to retain the Ash tree and remove the two sycamores;
- (4) the works to the Holly tree were permitted in October 2010. It was felt that the works proposed as part of this application were no longer necessary;
- (5) the replacement trees would be indigenous trees which have substantial growth. Due to their high failure rate, it was not proposed to plant mature replacement trees;
- (6) the life expectancy of Ash and Sycamore trees was 100 years. However, these trees lifespan could have been affected by the development nearby;
- (7) If the Committee was minded to refuse and authorise the making a Tree Preservation to cover the trees (including the tree currently protected by an Order), it was possible to revoke or modify the existing Tree Preservation Order relating to one sycamore.

The Committee considered that the loss of the trees, the subject of the application would be detrimental to the visual amenities of the Conservation Area and should be additionally that all of the trees, the subject of the application, should be protected by a Tree Preservation Order.

RESOLVED that

- (A) planning application APP/10/00796 be refused for the following reason:
 - (1) In the opinion of the Local Planning Authority, the trees make a positive contribution to the character and appearance of Mill Lane, which is part of the Mill Lane Conservation Area. Trees were retained as part of the original development of Fern House and their removal of these trees will

have a negative impact on the character and appearance of the Conservation Area; the Authority is not convinced that there is sufficient justification of their removal to outweigh this negative impact. The proposal is therefore contrary to policy L6 of the Havant Borough District-Wide local plan 1996-2011, which forms part of the Council's Local Development Framework, and contrary to national Planning Policy Statements PPS1 & PPS5.

- (B) The Executive Head of Planning and Built Environment be authorised to make a provisional Tree Preservation Order to protect the trees, the subject of application APP/10/00796.

189 APPLICATION APP/10/00669 – FORMER ST JOHN AMBULANCE HEADQUARTERS, CONVENT LANE, EMSWORTH

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

Proposal: Erection of 1No. chalet bungalow; approval of scale, appearance and layout, means of access and landscaping.

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

The Committee also considered addenda circulated prior to the meeting, which:

- (i) gave details of the responses of the Council's Building Control team;
- (ii) gave details of an additional recommended informative concerning rights of way and the footpath;
- (iii) gave details of information submitted by Mrs Woolgar to support her deputation; and
- (iv) attached Appendices A to F of the report

The Committee was also addressed by Mrs Woolgar who, on behalf of residents of Highland Road and the occupier of 31 Bosmere Gardens, objected to the application for the following reasons:

- (A) the proposal dwelling did not comply with the approved outline planning permission as it was more than one storey in height;
- (B) the proposal would adversely affect the privacy of the residents in Highland Road, in particular the occupiers of 18 and 24 Highland Road;
- (C) the proposal did not overcome the previous reasons for refusal relating to the bulk of the proposed building; and

- (D) the proposal would overlook 31 Bosmere Gardens

In response to questions raised by the Members, the officers advised that:

- (A) the parameters within which the development should sit had been determined by the outline permission. The mass and roof of the building had been reduced. However, upper floor accommodation would be contained with the roof slope;
- (B) the problem of overlooking could be resolved by imposing a condition requiring the use of obscured glazing in the appropriate windows; and
- (C) Although the building had been reduced in height and mass since the previous reserved matter application, the building was bigger than approved at the outline application stage.

The Committee discussed this application details with reference to the outline permission and previous applications for this development. The Committee considered that despite the revisions to the scheme, the bulk of the building would have a detrimental impact on adjoining properties and would be an incongruous feature in the street scene. It was therefore,

RESOLVED that application APP/10/00669 be refused for the following reasons:

- (1) The proposed development would result in an excessive building bulk adjacent to the residential properties in Highland Road, detrimental to the visual outlook and amenities of the occupiers of the properties backing onto the site in Highland Road. The proposal would therefore be contrary to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework and Planning Policy Statement 1.
- (2) The proposed development by reason of its bulk and height would be an incongruous feature within the streetscene to the detriment of the visual amenities of the area. The proposal would therefore be contrary to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework and Planning Policy Statement 1.

190 [APPLICATION APP/10/00612 – JINGLES HOTEL, 77 HORNDEAN ROAD, EMSWORTH](#)

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

Proposal: Outline application for rear two storey extension to provide 14no. en-suite bedrooms and single storey extension to provide dining room with associated parking.

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

With regard to the additional information requested by the Site Viewing Working Party, the officers advised that the nearby site identified as suitable for housing was to the north of the application site.

The Committee was also addressed by Mr Douglas, the applicant's agent, who spoke in support of the application on the following grounds:

- (A) the proposal was designed to blend in with the character of the area;
- (B) the screening would ensure that the proposal would not be an incongruous feature in the landscape; and
- (C) the proposal would contribute to the economic vitality of the area.

The Committee discussed this application in detail and felt that the proposal would:

- (i) not be visually intrusive,
- (ii) not result in an overdevelopment of the site; and
- (iii) contribute to the economic vitality of the Borough.

It was therefore,

RESOLVED that application APP/10/00612 be granted permission subject to such conditions as the Executive Head of Planning and Built Environment considers appropriate and the applicant entering into legally binding arrangements in a form to the satisfaction of the Solicitor to the Council to secure a contribution of £11960 to the Hampshire County Council's Transport Contributions Policy.

The meeting commenced at 5.00 pm and concluded at 8.50 pm