

appeal, (ref. APP/12/0966 Inspectorate ref APP/X1735/A/13/2192777).

For full details please refer to associated planning application APP/14/00488 elsewhere on this agenda, (see below).

APP/14/00488

- 2.2 Also submitted and subject of a separate report on this agenda, is an associated application APP/14/00488, which seeks approval for matters reserved at outline stage and the discharge of some planning conditions. The application description reads as follows; *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.*

3 Proposal

- 3.1 The application subject of this report seeks full planning consent to demolish an existing dwelling, No1 Hawthorne Grove, and construct part of the access road to serve the adjacent development on land to the south (pursuant to Outline Planning Permission APP/12/00966 approved on appeal ref APP/X1735/A/13/2192777 for 131 dwellings).
- 3.2 The application also proposes a priority change from that approved at outline to the Beech Grove/ Hawthorne Grove junction to create a speed control bend with a junction formed at the site entrance. The submission also includes the demolition methodology for No.1 Hawthorne Grove and removal of 10m (approx) of rear garden hedge to provide access to a temporary site compound.
- 3.3 This application, if consent is given, would allow the applicant to undertake the demolition of 1 Hawthorne Grove prior to the consideration of other pre-commencement conditions attached to the outline consent that have no direct impact on the demolition process.

4 Policy Considerations

National Policies

The National Planning Policy Framework, March 2012

Havant Borough Local Plan (Core Strategy) 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS16	(High Quality Design)
CS20	(Transport and Access Strategy)
CS9	(Housing)
DM10	(Pollution)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Local Plan (Allocations) 2014

AL1 - Presumption in Favour of Development

HY1 - Hayling Island Housing Allocations

DM23 - Sites for Brent Geese and Waders

DM24 - Recreational Disturbance to Special Protected Areas (SPA) from Residential Development

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

No concerns raised with regard to building over public sewers. All other building control standard considerations are not applicable as no buildings are proposed within this application

Arboriculturalist

No objection - Please condition the Arboricultural Impact Assessment and Tree Protection Plan to be adhered to.

Development Engineer

Deferred to the County to provide response as the development concerns access only.
No objection.

Environmental Health Manager

No comments

County Ecologist

I have no overriding ecological concerns in respect to this application.

Whilst the application is not accompanied by any ecological information, I have reviewed the ecological survey report (PV Ecology, 2012) submitted in relation to the approved development as this includes details pertinent to the proposed demolition of No1 Hawthorne Grove.

The Phase 1 ecological survey carried out during April 2011 and subsequent Phase 2 bat emergence and activity surveys during summer 2012 found no evidence of roosting bats and therefore it was concluded that roosting bats are not a constraint to the proposed demolition of buildings at this site. If you are minded to grant permission, simply suggest that an informative note is attached to any permission, reminding the applicant of their obligations in terms of wildlife protection:

Bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2010. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during building demolition - should this occur, further advice should be sought from Natural England and/or a professional ecologist.

The submitted Construction Management Plan, (CMP) shows a line of hoarding to be installed along the eastern site boundary which should provide a reasonable degree of noise abatement. A recently submitted Construction Management Statement, (CMS) now provides reassurance that all reasonable measures to avoid/minimise noise disturbance to overwintering birds are being taken: the applicant has committed to undertaking regular noise monitoring, the results of which will be made available.

In summary, no further ecological survey works are considered necessary and, provided that the proposed noise abatement and screening measures are implemented fully, there should be no excessive noise or visual disturbance during construction.

Officer Comment - Informative added regarding bats and the CMS/CMP should be included within the list of planning requirements to be adhered to

Southern Water

Southern Water has no objection to the above proposal, the consent of the Highway Authority will be required for the above proposal.

Hampshire Highways

Access

The proposed access will form a priority junction with Hawthorn Grove and remove the current give way arrangement of Hawthorn Grove onto Beech Grove. The details of this access are shown on drawings 4159-100 Revision F and 4159-101 Revision D. The applicant has been in liaison with the Highway Authority regarding the access arrangement which has resulted in a change to the layout previously approved through the appeal. The access has been subject to Hampshire County Council's design check process and is considered to provide an acceptable access arrangement.

Construction Traffic Management Plan

Has been submitted and is considered to be acceptable

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 63

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: 1 objection has been received at the time of writing this report. However, the publicity period does not expire until 11 August 2014. An addendum will be provided prior to Committee advising members of any further representation letters. Some comments were received with regard to access within the representation letters submitted in regard to the related reserved matters application and these are included below;

Summary:

a) After the demolition of 1 Hawthorne Grove the open area must be fully screened before November otherwise the Brent Geese grazing area will be fully exposed to all construction traffic entering and exiting the development.

b) Do not support the separate application for the access before the 131 dwellings have been approved as it will allow for earlier development of the site.

Officer Comment - The 131 dwellings have been approved as an outline planning consent, only reserved matters and pre-commencement conditions are outstanding not the principle of development.

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are:

- (i) Principle of Development
- (ii) Residential Amenity
- (iii) Highway and Transportation Matters
- (iv) Trees and Landscaping
- (v) Ecology and Impact on AONB and Protected Sites

(i) Principle of development

7.2 The principle of the development of this site for 131 dwellings has been firmly established with the granting of outline planning permission allowed at appeal, (ref APP/12/00966 Inspectorate ref: APP/X1735/A/13/2192777). The principle of the access route from Hawthorne Grove was also established by the granting of Outline Planning Permission on appeal. The whole site as shown within the submitted redline is now included in the Council's adopted Allocations Plan as site UE16. The Allocations Plan was recently adopted by the Council after it was examined by an independent Inspector.

7.3 The application subject of this report concerns the demolition of No.1 Hawthorne Grove and the construction of the first section of the access road into the development site. Currently access into the site is gained over a section of unmade road adjacent to the AONB, (which lies to the east of the site), and over the Root Protection Area of a retained Oak Tree. A grant of permission for the application the subject of this report will allow for the demolition work to commence prior to the October - March bird nesting season, when no demolition work is permitted. It will then enable construction traffic to be moved within the site at an early stage of the development and allow the site access to be moved away from the Root Protection Area of the retained oak tree.

7.4 In terms of the loss of a dwelling house, it is considered acceptable to allow the loss of No1. Hawthorne Grove, prior to all the pre-commencement conditions of the outline application being discharged because planning consent has been already been granted for the development of this site and a reserved matters application is included within this Committee agenda, (recommended for planning permission). Furthermore, the applicant now owns the site and in submitting these applications has shown commitment to continue to develop the site for housing, which will contribute to the housing requirements of the Borough. None of the pre-commencement conditions attached to the Outline Consent would prohibit the commencement of the works as proposed within this application. As such it is considered that the application is in accordance with Local Plan policy CS9.

7.5 It should be conditioned that the Tree Protection Plan and Tree Report submitted with this application are adhered to and that, once the new access is formed, the former Beech Grove access is no longer used for construction traffic.

(ii) Residential Amenity

7.6 It is considered that once the access is constructed it will allow for construction vehicles to be moved into the site at an early stage of the development process thus limiting congestion of the local road network to the benefit of the amenities of the occupiers of the

surrounding dwellings.

- 7.7 The submitted Construction Method Statement and Construction Management Plan should be conditioned as part of any planning consent to ensure that the amenities of the occupiers of the adjacent dwellings are not impacted to an undue extent through the demolition and construction period of the development proposed within this application.

(iii) Highway and Transportation matters

- 7.8 The overall issue of access was considered at the outline planning application stage. The HCC Highway Engineers have been fully consulted with regard to the priority change at the Beech Grove/Hawthorne Grove Junction that this scheme now proposes. They are satisfied that the change in priority is acceptable in terms of highway safety.
- 7.9 HCC Highways have concluded that the proposed change to road priority does not alter the outcomes of the outline consent traffic assessments and, as such, the revisions are considered to be acceptable in terms of impact on the Highway Network and that they are within the remit of the Outline Consent. The Highway Engineers are also satisfied with the technical details submitted for the construction of this access road. The access must be constructed in accordance with highway standards and this will be controlled under a S278 agreement.

(iv) Trees and Landscaping

- 7.10 The Council's Arboriculturalist has been consulted on this application and the revised plans. He finds the submitted information to be acceptable. A planning condition is recommended to ensure that the development is carried out in accordance with the Arboricultural Impact Assessment and Tree Protection Plan.

(v) Ecology and impact on AONB and protected sites

- 7.11 Both Natural England and HCC's Ecologist considered that the Construction Management Plan (CMP) and Construction Management Statement (CMS) as initially submitted were not sufficient to demonstrate that there would not be a detrimental impact on the AONB and protected sites. Officer concerns were also raised with regard to the lack of information regarding the mitigation of any potential impact on the amenities of the occupiers of the surrounding residential properties. Following a number of amendments a final CMS and CMP were submitted which are considered acceptable both in terms of ecological and residential impact mitigation. It should be conditioned the 2.4m acoustic fence as detailed on the submitted CMP be erected prior to any demolition works taking place.

8 Conclusion

- 8.1 It is considered that the permission of this application will benefit the health of the retained Oak tree and also residential amenity. It will allow for construction traffic associated with the wider residential development to enter the site through an appropriately constructed access and for construction vehicles to be parked within the site, off the surrounding local road network.
- 8.2 Without this application being approved construction works could continue within the site, other than demolition, following a grant of planning permission in relation to the reserved matters application and the subsequent discharge of all outstanding pre-commencement conditions. However, access would need to continue to be taken over the unmade road as it may then be too late to demolish No.1 Hawthorne Grove prior to the October deadline, (bird nesting season). The recommendation is to grant planning permission subject to conditions.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00613 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 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.

Appendices:

A - Location Plan

B - Engineering Layout (4159 -100 -F)

C - Surface Finishes (4159 -101 -D)