

Sally Smith DC

From: Sally Smith DC
Sent: 08 October 2012 10:55
To: Leah Turner
Cc: Steve Weaver; Peter Marshall
Subject: 124 Elm Grove - APP/12/00745 - Red card

Dear Councillor Mrs Turner,

I would be grateful if we could discuss your red card for the above application.

We have now received amended plans which:

- adjust the parking layout to match that on an earlier approval. Consequently the garden area for 124 is not reduced as previously.
- Alter the materials and elevations to be more in accord with adjacent properties.

I note your concerns relate to overlooking and the ability to take a skip through to the rear.

Our view is that the scheme will not overlook any private garden area and certainly no windows in adjacent domestic accommodation.

The width of the access is greater than that on a previous permission (not fully implemented) to convert the property to 2 dwellings so there is not considered a planning issue with the width of access now proposed..

The access serves domestic properties only and it is unusual for a domestic dwelling to be able to gain access to the rear for a skip. Terraced and properties in built up areas do not usually have this facility. On the basis that the access is of adequate width it is not considered a planning issue that vehicles higher than a private car will no longer be able to access. The loss of this facility is considered a private matter dependent on the neighbour's legal rights of access over land not in his ownership.

I have set out these thoughts so you can consider them before we have a chat and decide if you wish your red card request to stand.

If we proceed to committee it will be the 25th October.

Regards

Sally

Sally Smith
Senior Planner
Development Control
Havant Borough Council
Public Service Plaza
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Sally Smith DC

From: Sally Smith DC
Sent: 25 September 2012 17:25
To: bst shared
Subject: FW: 124 Elm Grove Hayling Island - APP/12/0745
Attachments: 12-1836-101_P7.pdf; 12-1836-103_P4.pdf; 12-1836-104_P4.pdf; 25-09-2012.pdf

Please could you import both this email and the attachments. All the attachments are amended. They are for the web

101 P7 supersedes P6
103 P4 supersedes P3
104P4 supersedes P3

The final PDF is a revised certificate. As a result we need to recalculate the 8 week date from receipt on 25th september and we should send a revised acknowledgement letter to the applicant with the revised 8 week date. Please can you let me know the new 8 week date.

Please could you print them all for me and customer services.

Please could you also do 7 day revlay letters to all neighbours and those making representation (if different).

The redline on 104 is slightly different so land charges need a copy.

There is another email with one more plan attached so please could you act on that in the same way.

Thanks

Sally

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From: Rick Carter [mailto:rick@plcarchitects.com]
Sent: 25 September 2012 15:46
To: Sally Smith DC
Cc: Lauren Atkins; Michael Dalton
Subject: 124 Elm Grove Hayling Island

Dear Sally,

I refer to our recent telephone conversation in regard to Planning Application ref: APP 12/00745, I now attach revised proposals which positively address your latest comments. These include the following alterations:

Proposed car parking court and garden area to the rear to revert back to reflect the existing condition on site.

The architectural detailing has been revised to ensure improved relationship with number 124. The omission of the projecting party walls above the revised roof profile, along with the use of white painted render to the elevations will successfully integrate the new build addition into the streetscene.

In regard to the Crime Prevention Officer's comments (correspondence dated 7/08/12 & 31/05/12), please see response below:

In accordance with the Hampshire Constabulary requirements I can confirm that the underpass will be lit to an appropriate level and that the front door is certificated to at least PAS24 standard. In regard to the cycle store, the door will be fitted with a lock conforming to BS8621 and that a cycle anchor point will be installed within the cycle store itself.

I am also attaching our redated form Certificate A. I understand that this application will now be presented to the 25/10/12 Planning Committee, and trust that the alterations proposed and information provided will now find your support.

Finally and for the avoidance of doubt, I would be grateful if you could confirm the situation in regard to the status of the S.106 legal documentation?

Yours sincerely

Rick Carter B.A. (Hons) Dip Arch (Dist Dip) R.I.B.A
Director

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Sally Smith DC

From: Rick Carter [rick@plcarchitects.com]
Sent: 25 September 2012 16:43
To: Sally Smith DC
Subject: 124 Elm Grove Hayling Island
Attachments: 12-1836-100_P5.pdf

Hi Sally,

In regard to my previous email sent to you earlier today, and, following our telephone conversation, I now attach a copy of our drawing no. 12.1836.100 P5. This identifies in particular, the intended material specification to the proposed northern elevation facing no. 124.

I would be grateful if you could substitute this drawing for the earlier version.

Many thanks,

Rick Carter B.A. (Hons) Dip Arch (Dist Dip) R.I.B.A
Director

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Sally Smith DC

From: Rick Carter [rick@plcarchitects.com]
Sent: 25 September 2012 15:46
To: Sally Smith DC
Cc: Lauren Atkins; Michael Dalton
Subject: 124 Elm Grove Hayling Island
Attachments: 12-1836-101_P7.pdf; 12-1836-103_P4.pdf; 12-1836-104_P4.pdf; 25-09-2012.pdf

Dear Sally,

I refer to our recent telephone conversation in regard to Planning Application ref: APP 12/00745, I now attach revised proposals which positively address your latest comments. These include the following alterations:

Proposed car parking court and garden area to the rear to revert back to reflect the existing condition on site.

The architectural detailing has been revised to ensure improved relationship with number 124. The omission of the projecting party walls above the revised roof profile, along with the use of white painted render to the elevations will successfully integrate the new build addition into the streetscene.

In regard to the Crime Prevention Officer's comments (correspondence dated 7/08/12 & 31/05/12), please see response below:

In accordance with the Hampshire Constabulary requirements I can confirm that the underpass will be lit to an appropriate level and that the front door is certificated to at least PAS24 standard. In regard to the cycle store, the door will be fitted with a lock conforming to BS8621 and that a cycle anchor point will be installed within the cycle store itself.

I am also attaching our redated form Certificate A. I understand that this application will now be presented to the 25/10/12 Planning Committee, and trust that the alterations proposed and information provided will now find your support.

Finally and for the avoidance of doubt, I would be grateful if you could confirm the situation in regard to the status of the S.106 legal documentation?

Yours sincerely

Rick Carter B.A. (Hons) Dip Arch (Dist Dip) R.I.B.A
Director

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Sally Smith DC

From: Sally Smith DC
Sent: 18 September 2012 12:51
To: Shirley Shaw
Subject: FW: APP/12/00446 and App/12/00745 - 124 Elm Grove, Hayling Island

Shirley,

When we were dealing with 12/00446 I issued the email below about the Highway contribution and the need for an agreement..

The application was withdrawn.

We now have a resubmission and a S106 has been submitted. I note that it does not have a plan attached and I do not believe your fee has been paid. I am dropping it round for your checking please.

I am trying to get this application on 4th October Cttee - although I am running out of time.

Sally

Sally Smith
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From: Sally Smith DC
Sent: 05 July 2012 10:51
To: bst shared
Subject: FW: APP/12/00446 - 124 Elm Grove, Hayling Island

Please import into the application and withdraw from 4/7/12 and do all the necessary actions.

Many thanks

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From: Rick Carter [<mailto:rick@plcarchitects.com>]
Sent: 04 July 2012 10:15

To: Sally Smith DC
Subject: RE: APP/12/00446 - 124 Elm Grove, Hayling Island

Sally,
I note your comments below.
On behalf of my client I would now request that the current application be withdrawn.
We will be resubmitting this application once the S.106 / boundary / Highways matters have been resolved,
Regards,

Rick Carter B.A. (Hons) Dip Arch (Dist Dip) R.I.B.A
Director

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From: Sally Smith DC [mailto:Sally.Smith2@havant.gov.uk]
Sent: 03 July 2012 17:43
To: Rick Carter
Subject: FW: APP/12/00446 - 124 Elm Grove, Hayling Island

From: Sally Smith DC
Sent: 03 July 2012 17:34
To: Sally Smith DC
Cc: Peter Marshall
Subject: RE: APP/12/00446 - 124 Elm Grove, Hayling Island

Rick,

I have consulted highways on your revisions to gain comments on your revised car parking layout and the reduced width of the arch/access. I will let you have their views as soon as received. I am concerned that the access might be too narrow.

However, now that you have amended the scheme to produce a gap between the new flat structure and 122 it is now sufficiently visually different in the street scene to warrant full publicity and reconsultation. The application site has also changed and there is not time to complete the S106 within the application period. I would therefore ask that you withdraw the current application and resubmit. The resubmission will, of course, not require a fee if resubmitted in the near future.. I appreciate that you may wish to receive the highway comments before you do so.

On the matter of the S106 agreement I attach a copy of a unilateral agreement as it would apply to the scheme as amended. I have omitted the application reference for now and the plan.. I would suggest that you review the agreement with your client's solicitor. If you wish to proceed then once you have resubmitted a revised application and have a new reference number you can include it in the agreement and submit it. We can add the plan if you require

The text of the letter for an agreement would be:

" Dear Mr Carter

The Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2010

Site Address: 124 Elm Grove, Hayling Island, PO11 9EH

Proposed Development: Construction of 1No. 1 bed flat at first floor level over vehicular access to rear parking area; with associated bin and cycle store.

I am writing in relation to the planning application that has been submitted for the above development and to advise you of the Council's adopted policies relating to financial contributions. Notwithstanding any other issues that may be raised separately in connection with the application, the Council will not grant planning permission unless the contributions have been resolved, and if they are still outstanding at the time of the decision then the application will be refused. Therefore, you are advised to give this matter your immediate attention as it can take time to resolve the financial contributions.

This letter sets out the contributions that are likely to apply to the proposal and then explains how the process works. If you are unclear of any of the requirements then please contact me as soon as possible.

(i) Transport

Hampshire County Council adopted a Transport Contributions Policy in September 2007. The policy is based upon an identical formula applicable across the whole County based upon the transport impact of each new development. The measurement of transport impact will be quantified by the net increase in the number of multi-modal trips that a development is expected to generate. Financial contributions will be spent on improvements to transport and the highway developed through Town Access Plans and Area Transport Strategies produced under the auspices of the Local Transport Plan. Priorities for spending will be determined through the Hampshire Action Team for each district, and money collected from development in Havant will only be spent in the Borough and not elsewhere in the County. In October 2008 the Council agreed to negotiate contributions on behalf of Hampshire County Council under saved policies T10 and IMP1 of the Havant Borough District-Wide Local Plan 1996-2011 which forms part of the Havant Borough Local Development Framework. This policy came into effect on 1st April 2009.

On the basis of the information contained in your most recent plans an assessment has been made of the contribution that it is considered your development should make towards transport. In accordance with Hampshire County Council's Transport Contributions Policy the proposal will have to make a contribution of £1,980 indexed linked in accordance with All Items Index of Retail Prices (RPI) published by the Office of National Statistics or any replacement thereof.

Further guidance and information is contained within the Hampshire County Council's Transport Contributions Policy which can be found at www.havant.gov.uk/havant-9204#appforms.

The Process

Recent emphasis upon meeting government timescales for the determination of planning applications has resulted in the Council adopting the approach of requiring a quicker and more efficient procedure. I have enclosed a standard unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) which has been drafted to relate to the above development.

In order to grant planning permission for your application within the statutory time period, subject to all other aspects of your proposal being acceptable, the Council must have received the properly completed and signed unilateral undertaking in time to issue the decision before the expiry date. To achieve this, the unilateral undertaking should be received as soon as possible and at the latest 10 working days before the expiry date of the application. Please note that the completion of the unilateral undertaking does not in any way guarantee that planning permission will be forthcoming.

Should you be willing to progress the matter as suggested, please could you and your (clients) Solicitor(s) complete and return the document filling in the gaps as appropriate. Please be aware that there is a legal cost of £230 for the Council's solicitor to check that the unilateral undertaking has been properly completed. The unilateral undertaking will not be checked by the Council's solicitor until the legal costs have been received by the Council.

Please sign but do not date the document when you return it. Please note that it is essential that the document is signed by all owners of the land AND any mortgagee(s) with a current mortgage or charge over the land. If (and only if) the Council decides to grant planning permission in respect of your application, the solicitor will then date the document and advise me that the planning permission can be issued.

If the completed unilateral undertaking is not received within 10 working days prior to the expiry date then your application will be refused.

Please be aware that the above information and enclosed agreement have been prepared based on the submitted plans. Should any amendments be made during the application process, then the Council reserves the right to reassess the appropriate contributions due."

I attach a draft agreement that could be returned once a revised application has been acknowledged.

I hope this helps you move forward with this proposal.

Regards

Sally Smith
Senior Planner
Development Control
Havant Borough Council
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From: Sally Smith DC
Sent: 28 June 2012 09:59
To: 'Rick Carter'
Subject: RE: APP/12/00446 - 124 Elm Grove, Hayling Island

Mr Carter,

Before I proceed with this I must advise you that Mr walker has advised me that the 'gap' should be 560mm all along the wall.

Please could you consider this (and discuss with him) and advise of your position before I do further work on the scheme.

Thanks and regards

Sally Smith
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From: Rick Carter [<mailto:rick@plcarchitects.com>]
Sent: 27 June 2012 10:49
To: Sally Smith DC
Cc: Michael Dalton
Subject: FW: APP/12/00446 - 124 Elm Grove, Hayling Island

Dear Sally,

Thank you for your email 26/06/12.

In light of your comments, we have reconsidered the positioning of the proposed building in relation to No. 122 in order to ensure that the 350-500mm zone is not compromised.

In this respect, I therefore attach our revised drawings: No's 12.1836-100P3 & 101P5. Could I request that these are now substituted for the current versions. You will note that the boundary red line reflects the above condition.

I trust that this revised proposal will now receive your support and will enable you to proceed with the UU paperwork,

Regards

Rick Carter B.A. (Hons) Dip Arch (Dist Dip) R.I.B.A
Director

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From: Sally Smith DC [<mailto:Sally.Smith2@havant.gov.uk>]
Sent: 26 June 2012 12:47
To: Rick Carter
Cc: Michael Dalton
Subject: RE: APP/12/00446 - 124 Elm Grove, Hayling Island

Mr Carter,

Thank you for your reply and that from Mr Dalton which was also sent direct.

With respect the title plan I cannot concur that, in view of the scale of the plan and the thickness of the lines, that it has been demonstrated beyond any doubt that there is not a gap of between 350 - 500 mm adjacent to the side wall of 122 that could be in different ownership. Please confirm that the information provided to ourselves will be made known to Mr Walker.

However, I will proceed to prepare and issue the Unilateral undertaking for your attention.

Thank you for the revised layout plan which will be incorporated into the application.

Neighbours will be notified of the revision.

Thank you for your responses on the other matters.

Regards

Sally Smith
Senior Planner
Development Control

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From: Rick Carter [<mailto:rick@plcarchitects.com>]
Sent: 22 June 2012 14:35
To: Sally Smith DC
Cc: Michael Dalton
Subject: RE: APP/12/00446 - 124 Elm Grove, Hayling Island

Dear Sally,

In response to your email dated 19/06/12 I would comment as follows: (my points refer to your own numbering system)

1. I refer you to correspondence from Michael Dalton, attached.
2. I await your draft UU in due course.
3. The vehicular access has been designed to ensure that there is adequate headroom available (2.3m) to accommodate normal vehicular passage. This will not compromise normal access requirements. Were the proposals to be built, the developer is fully aware of the Rights of Access enjoyed by the owner of No. 124a and would ensure that this access remains clear and protected at all times.
4. In accordance with the Hampshire Constabulary requirements I can confirm that the underpass will be lit to an appropriate level and that the front door is certificated to at least PAS24 standard. In regard to the cycle store, the door will be fitted with a lock conforming to BS8621 and that a cycle anchor point will be installed within the cycle store itself.
5. In regard to the proposed layout of the parking court, we have reviewed the configuration and now propose a revised arrangement which enables all vehicles to access, turn and exit the site in a forward gear. We have allocated the spaces for the existing and proposed units for clarity.

I trust that the above is acceptable. My client has confirmed that he is able to proceed with the proposal and subsequent S.106 legal agreement and looks forward to receiving details of the latter from your goodself in due course.

Yours sincerely

Rick Carter B.A. (Hons) Dip Arch (Dist Dip) R.I.B.A
Director

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Tel: 02392 755333
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From: Sally Smith DC [<mailto:Sally.Smith2@havant.gov.uk>]
Sent: 19 June 2012 16:14
To: Rick Carter
Subject: APP/12/00446 - 124 Elm Grove, Hayling Island

Dear Mr Carter,

Further to our earlier conversation I would like to confirm the following:

1. We have received a representation that the owner of 122 owns a strip of land of approx 500 mm alongside the side wall of 122. Whilst you have served notice so we can proceed to determine the application there is the issue of the need for a S106 agreement (which I refer to below) and all owners of the land need to be party to that agreement. Therefore, if the owner of 122 does have an ownership interest in the land and is not willing to allow the development to proceed and be party to the S106 then we will not be able to progress your application to a decision. If this is the case then I would ask that you withdraw the application whilst research/discussion /negotiation takes place between the parties.

2. The proposal will necessitate a contribution under Hampshire County Council's Transport Contribution Policy of £1,980. This will need to be secured by way of a unilateral undertaking for which I can supply a draft. Clearly it will not be expedient to undertake that work unless you are in a position to progress it with all landowners.

3. A representation has also been received from the owner of 124a concerning his right of way, height of the access and other matters.

4. A consultation response from Hampshire Constabulary raises matters of safe access and lighting. All the representations and the consultation responses may be seen on our web site. it would be useful to have your response on the matters they raise.

5. On the matter of parking I am of the view that your current layout does not provide scope for the vehicles to access properly and turn to exit in a forward gear. Please could you amend your layout and allocate the spaces for the existing unit and the proposed flat.

I should be grateful for a response by Monday as to whether your client is able to proceed with the proposal, and the subsequent S106 agreement, so that we could actually issue a permission. If it is not possible to progress in the timescales of this application I would request that the application is withdrawn and resubmitted if the ownership matters can be satisfactorily resolved at a later date.

If you are in the position to move forward then I would ask you to look at the layout re parking and respond on the matters raised in the representations and consultation. I will then prepare the draft S106 with respect to the contribution.

Regards

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Sally Smith DC

From: Naomi Barnes on behalf of Sally Smith
Sent: 07 August 2012 11:46
To: Sally Smith DC
Subject: FW: APP/12/00745

Think this is for you.

Regards,

Naomi.

Naomi Barnes
Waste Services Liaison Officer
Havant Borough Council
Southmoor Offices
2 Penner Road
Havant - PO9 1QH
023 9244 6452
naomi.barnes@havant.gov.uk

From: Leah Turner
Sent: 07 August 2012 08:34
To: Sally Smith
Subject: Fwd: APP/12/00745

Good morning Sally, (or whoever picks this up on her behalf)

My apologies, I did not give my reasons for wanting to Red Card this application.

This would overlook the neighbour who has complained to me and affect his quality of life.
Also if he were to need to take delivery of a skip at any time, it would be unable to pass underneath the new building.

Regards,

Leah Turner
Councillor Hayling East
leah.turner@havant.gov.uk
02392465400

Sent from my iPad

Begin forwarded message:

From: <Leah.Turner@havant.gov.uk>
Date: 6 August 2012 16:05:52 GMT+01:00
To: Sally Smith <Sally.Smith@havant.gov.uk>
Subject: APP/12/00745

Good afternoon Sally,

If you are likely to permit the above application, I would like to Red Card this.

Regards,

Leah Turner
Councillor Hayling East
leah.turner@havant.gov.uk
02392465400

Sent from my iPad