

### Deputations Received

**HAVANT BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
20 August 2020**

I am now able to enclose, for consideration by the Development Management Committee on 20 August 2020, the following deputations that were unavailable when the agenda was printed.

| Agenda No | Item |
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5 APP/19/00324 - 5-7 Station Road, Hayling Island 1 - 10

**Proposal:** Demolition of existing dwelling and business units and construction of a 2/3 storey building to provide 19 flats and 2 commercial units with vehicle and bicycle parking and a bin store.

### Additional Information

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Ref: APP/19/00324

Issy Scott (West Hayling Island Ward Councillor)

Dear Development Management Committee (DMC)

My name is Issy Scott I am a Councillor for West Hayling Island. I am writing this deputation regarding the demolition of existing dwelling and business units and construction of a 2/3 storey building to provide 19 flats and 2 commercial units with vehicle and bicycle parking and a bin store. The site address 5-7 Station Road Hayling Island. In my capacity as a Ward Councillor I was contacted by Mr Heron whose commercial garage (Heron's autos) is located at 5G Station Road regarding concerns of access, safety for customers and noise, which I will now discuss.

### **Access during demolition and build.**

At the time of writing this deputation there is no timeline in place as to when the new access road to Heron Autos will be built and the construction vehicle access is yet to be determined. Heron Autos on a usual day have 8 customers which translates into 16 trips, this does not include employees. If the access road is built prior to demolition/building and construction vehicles are using the access road to Heron Autos it is difficult to comprehend how customers will be able to access Heron's motors during demolition of existing dwellings and the building of 2/3 story building. There will be machines to demolish the existing buildings, trucks to remove the building material, lorries delivering building materials and building equipment on site. Facilitating a lot of traffic in such a narrow space it is not viable to say that the access to Heron Autos will be continually available to employees and customers. If the access road is built but the construction traffic access is the main building entrance then customers walking out after dropping their car off or walking in to collect their car will be exposed to a lot of building dust and noise, the dust will also make customers cars very dirty. Another consideration is the boundary of the building site which is required for all building sites to keep the general public safe, this must not impede the access road to Heron Autos.

### **Access post build**

On completion of the buildings and occupation the access to Heron Autos will not be fit for purpose. The width of the access road as seen on the plans is 5m the main road is 6.8 meters this illustrates that cars will not have the space to pass each other. Depending on location of cars on the east access this will require either one car reversing to Heron Autos or a car reversing out onto a main road. This is obviously applicable during demolition/building, but the traffic will be heightened due to allocated parking spaces for 5 vehicles within the access route.

The 5 parking spaces allocated to residents of the flats is inadequate, it has been shown that most couples own two cars. It was suggested within the report that an overspill of parking could be alleviated by making use of HBC car park adjacent to site as this is unrestricted. However, the Traffic Management Team have strongly refuted the unrestricted availability of the car park to residence as the car park has a maximum stay of 24hrs which means the vehicle must leave the car park within that time. In addition, the carpark is under review and may have the 24hr restriction reduced. Therefore, there is inadequate parking on site for residence and visitors. The concern is the 5 parking spaces on the access route to Heron Autos will not be sufficient for residents/visitors and they will exceed the designated one space and try and fit 2 or more cars which will impede the access route to Heron Autos.

### **Safety of customers**

The safety of Heron Autos customers should be paramount as they are driving next to a building site. Mr Heron explained in his deputation that while walking to work there were some construction workers who Mr Heron presume were checking for contamination within the ground. They did not cordon the area off and Mr Heron fell into a manhole. This brings into question the safety of customers when such a small undertaking resulted in injury to Mr Heron. As I have already stated if construction vehicles are using the access road to Heron Autos there is potentially going to be a lot of traffic, due to the narrow access, it is almost a certainty that while a customer is either walking out after dropping car off or walking in to collect their car that they sustain an injury. If the construction vehicles are using the main site entrance it will be impossible to guarantee the health and safety of customers who will be walking within remarkably close vicinity to the building site. This brings me to the boundary which a building site should have; the boundary should make sure that objects from the site does not fall outside of the boundary. Scaffolding when building and dismantling requires that the general public are not in proximity this is obviously not possible due to proximity of access road to building site. Storage of materials must be within the boundary and consideration of noise levels within the construction site as this may damage customers. I am unclear how these measures are possible within such a confined area. Finally, as previously mentioned the access for construction vehicles needs to be established. If there is only one access in and out for both construction vehicles/workers and Heron Autos workers/customers, this is not adhering to the health and safety of a building site which stipulates there should be separate entrances and exits for vehicles and workers, this does not include Heron Autos staff and customers who will require their own separate entrance/exit for cars and customers/workers to comply with health and safety.

### **Noise from Heron Autos**

On completion of buildings and occupancy Mr Heron is concerned the residents of the flats will complain about the noise from Heron Autos along the south access. Due to the work entailed engines are required to be revved which will facilitate a lot of noise from cars, vans and motorbikes. Initially Environmental Health concurred with Mr Heron expressing their concerns regarding level of noise and fumes omitting from Heron Autos and requested suitable mitigations. The applicants addressed the issues raised by changing the use of the rooms from bedroom to bathroom or kitchen and the windows will be fixed shut. This is a concern as there is a fire risk within a kitchen and bathrooms require to ventilate steam accumulated via shower/bath. In addition Paragraph 7.27 of the report suggest that all windows at whatever level or location on the east elevation of the building are to be kitchen or bathroom windows, this should refer to the ground floor only as there are bedroom windows on the first and second floor which will be subjected to noise from Heron Autos. What has not been mentioned is that Heron Autos workshop entrance faces West which is where all the bedrooms and balconies are situated overlooking the park. The noise from Heron Autos will be magnified as it will be enclosed between two walls which will reverberate towards the bedrooms and balconies. In addition, the fumes from the vehicles will impact residence sitting on their balcony, and those who have windows open. It is almost certain that residents of the 19 flats (5-7 Station road) will complain to Mr Heron regarding the noise and fumes coming from Heron Auto's which is unacceptable, Mr Heron has run a successful business from this location for 35 years, there is no reason why the business should experience unnecessary disruption now.

**Affect of building on Heron Autos Trade**

During the demolition and building of flats/units the general public will not be aware of Heron Autos, the view from the road will be a building site. Mr Heron has been informed he is not allowed to put advertisement boards on the main road, therefore, from the perspective of the general public Heron Autos does not exist, which will have a detrimental effect on Heron Autos business.

**Communication**

Mr Heron has not received any communication from the applicants regarding the new access to Heron Autos. Certain steps are required for the change of access to be lawfully achieved. First, the new right of way needs to be granted by deed, which in this case was achieved 27<sup>th</sup> February 2009. Secondly, the applicants need to release Mr Heron from the old right of way, thereby extinguishing it, in favour of the new. The other important point is to make sure that agreements of this nature, whilst commonly agreed verbally by neighbours, are formally documented in writing. They also need to be registered at HM Land Registry against the dominant and servient land. This is the only way of ensuring they will run with the land and benefit successors in title. The release of Mr Heron from the old right of way in favour of the new one has not been completed.

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Ref: APP/19/00324

Brian Heron (Director of Herons Autos)

Dear Development Management Committee (DMC)

**My name is Brian heron. I am the director of Heron's Autos Ltd, a family run business that has been operating from 5-7 Station Road from 1986 to 2017 in 5c and 5d Station Road were we worked hard to establish a good reputation in the automotive industry in Hayling Island. In 2017 we were lucky enough to buy the freehold of 5g Station Road and with a lot of investment we were able to expand into car MOTS as well as motorcycles. This has been worthwhile as we have been able to grow our customer database by 20% over the last 3 years. We repair and service all vehicles petrol, diesel and electric. We are looking to future proof the business by installing charge points for electric vehicles.**

My concerns about this build are as follow:

Access:

On average we have 8 customers a day plus there is a need to road test almost every vehicle so constant access is essential to operation of the business. As the proposed property is to be built on the boundary of the right of way I believe that our access will be compromised with the need to dig footings, scaffolding and boarding, and potentially HGV's coming and going with deliveries for the build. Even if we were to be given a temporary alternative route, with a build of this scale I cannot see how we could maintain constant, unaffected access, essential to the operation of our business.

Noise during the build:

Our workshop door is 3m x3m and is constantly open. I have concerns about the nuisance of noise coming into the workshop caused by and for the duration of the build.

Currently, due to COVID-19 we have a no entry policy for customers into our workshop. We communicate with our customers from a 2 meter distance from our workshop door with the noise level of a build of this size we are potentially going to struggle to communicate with our customers.

Dust:

I'm concerned about the amount of dust that will be generated and settling on customers vehicles, which could potentially lose us customers if I was not to wash down every vehicle that came into our workshop.

Safety:

Safety has to be paramount for my staff and customers while coming and going from our workshop. There has already been an incident on the 23/07/2020 at 8.45am where I personally was walking to work and fell down a manhole cover that was not correctly fitted back down after some contractors had inspected the drains and had not cordoned off the area while they were still working.

Noise and pollution after the build:

My main concern is that once the flats are built noise and pollution from our workshop will be a disturbance to the residents and if they were to complain this could put constraints on the operation of our business.



Chairman/Councillors

### **Supporting comments re APP/19/00324 - 5-7 Station Road, Hayling Island**

The site is located in a sustainable location close to shops and bus routes within a defined local centre where the principle of development is accepted. The site is classed as previously developed land and any additional housing provided would be classed as windfall.

The site contains a number of small workshops and 1 Bungalow. Previous occupiers have moved to other sites on Hayling or have become mobile.

Adjacent to the site on the eastern side are a number of commercial units including Herons Autos. At present they access their property through the application site.

The aim of the scheme was to: -

- remove all the buildings and the uses which do not contribute to the local centre.
- provide a visually impressive 3 storey building with a high quality design that would add to the street scene and the character and appearance of this important gateway site to the local centre.
- provide 19 small much needed residential units in a mix suitable for the location
- provide ground floor commercial units to enhance the viability of the centre.
- Provide separate access for Heron Autos.

Prior to the submission of the planning application the applicant undertook comprehensive pre-application enquiries with the authority to assess the issues that needed to be addressed for the demolition of the existing building and the construction of the development.

The key issues identified were: -

- Loss of commercial units/marketing
- Design
- Highways
- Drainage



These points were covered in a comprehensive submitted application, however once the application was submitted further amendments were made and additional information provided. This was to address the comments made by the statutory consultees.

### Environmental Health

As a result of the comments in relation to proximity of Heron Autos a number of changes were made to the to the eastern side of the building. These were: -

- In relation to the ground floor unit this property has been re-designed to be a single aspect apartment with views to the west only. There is only one window facing west to the undercroft and this is from the bathroom which will be obscured glazing and non-opening.
- the revised layout of apartments in the south east corner of the structure to have non-opening windows to a kitchen.
- In both the above situations the windows are not expected to be fire egress windows as they are not classed as habitable rooms under the building regulations.
- the design of the south east corner of the block has been revised to introduce a 'masking buttress'. This is a masonry projection to the corner which will have the effect of physically separating noise from the vehicle repair workshop from the principal windows and balconies of the adjacent flats.

As a result of the changes the environmental health officer has no objections to the scheme subject to conditions.

It is important to note that there are flats above the shops adjacent to Herons Autos. It is understood that there have been no noise complaints from these flats to the work undertaken at Herons Autos and they do not have the noise reduction scheme suggested with this application.

### Design

Changes were made to the design and as a result the officer in the report has stated: -

*The varying materials, roof heights and detailing for the differing elements of the scheme are considered to deliver a high degree of articulation of the scheme which helps to break up the massing of the overall development.*



In terms of flat sizes, they are in excess of the housing technical standards. In some cases, by as much as 25%.

### Marketing

Details were provided from previous tenants confirming that they had all obtained other accommodation or had gone mobile. As such, in relation to marketing: -

- due to the units becoming vacant
- the length of time the application has been with the council and
- that two commercial units are being provided

the officers had no objection to the loss of the commercial uses or the need for marketing.

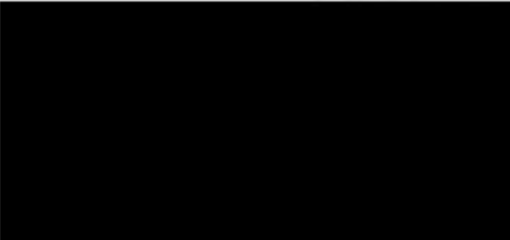
### Conclusion

There are no objections from any of the consultees.

The officers report comprehensively deals with the objector's concerns.

Chairman councillors we have worked closely with the officers to provide a comprehensive solution to this gateway site.

I would ask that you support the officer's recommendation and grant permission

  
**Ian Donohue, BA (Hons) MRTPI DMS**  
**Director**

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