

APPEAL: 1 Hart Plain Avenue

COMMENTS ON APPELLANTS GROUNDS OF APPEAL

Planning Inspectorate Reference APP/X1735/W/23/3319773

Havant Borough Council Reference APP/22/01094

Introduction

The planning merits of the proposed development are considered in the Planning Report – Completed following submission of Appeal Against Non-Determination Setting Out the Councils Position. The comments below relate to the Appellants Grounds of Appeal Statement. The numbering below follows that in the Grounds of Appeal for ease of reference.

- 1.3 It is noted that ‘substituted drawings’ are referenced, however these drawings were not formally submitted as part of the application consideration nor advertised / publicised. The plans were submitted as part of an ongoing email correspondence with the planning case officer. It is therefore the Councils position that the originally submitted plans should be considered in the determination of this appeal.

Notwithstanding this it is noted that the revised plans make relatively modest changes to the original details with the overall width of the main building being reduced by 1m and the height reduced by 0.525m. The front gables are also shown as hipped roofs in the revised plans. The frontage garage remains unchanged. Whilst these changes marginally reduce the mass and bulk of the proposed house it is not considered that they would overcome the reasons for refusal. The gate was not included in the amended drawings, whilst it is acknowledged that this would have removed the third reason as the plans were not formally submitted or advertised prior to the appeal against non determination.

- 2.1 Reference is made to the pre-application reference GEN/22/00582 which related to *Proposed new bungalow on garden land adjacent to No.1 Hart Plain Avenue*. This pre-application (the written response to which discouraged the proposed development) is therefore not directly relevant to the consideration of this appeal. Whilst the response commented *There is however, some scope to extend the existing dwelling to the east as an alternative option*. The pre-application does not confirm that the proposed extensions were likely to be acceptable.

- 2.4-2.9 It is noted that concerns have been raised in relation to the case officers consideration of the application, however, such matters need to be considered through the Councils Complaints procedures. From the case record it is clear that there were significant concerns regarding the significant size and impact of the proposals and that significant changes to the scheme were required. It has not in this case proven to be possible to reach an agreement which meets the applicants requirements whilst having an acceptable impact in terms of its planning merits. The appeal against non-determination has prevented further negotiation from taking place.

Conclusion

The Council have produced a Planning Report – Completed following Submission of Appeal Against Non-Determination Setting out the Councils Position. The Inspector is

respectfully requested to DISMISS this appeal. Should however the appeal be allowed a list of recommended conditions will be separately submitted.