

To:
Ms White
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For: Mr Goddard

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015
Refusal of Planning Permission**

Application Number: APP/19/01083

Site Address: Land adjacent Old Manor Farm, 15 Lower Road, Havant

Proposal: Retrospective change of use of existing building from B8 to mixed use of B1/B2/B8 and retention of six external storage bays; and proposed change of use of agricultural land with associated hardsurfacing to form circulation and loading area.

Further to your application received on 04 November 2019, which was valid from 04 December 2019, Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

The reasons for the Council's decision to refuse planning permission are:

- 1 The proposal represents development in a non-urban area beyond the identified settlement policy boundary for which there is no overriding justification. The exception criteria are not met and therefore the proposal is considered contrary to policy CS17 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL2 of the Havant Borough Local Plan (Allocations) 2014, emerging policy E3 of the Pre-Submission Havant Borough Local Plan 2036, and the National Planning Policy Framework.
- 2 The proposed development is immediately adjacent to a designated heritage asset (Old Bedhampton Conservation Area) and the application fails to assess the significance of this asset, including the contribution made by its setting, and the impact that the development will have on the designated heritage asset as advised by paragraph 189 of the NPPF. It is considered that the change of use, including its associated hard surfacing, results in an industrialisation of the site, resulting in an erosion of the rural character and harmful to the significance of the adjacent designated heritage asset, failing to enhance or preserve the heritage asset. It is therefore considered contrary to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Borough Local Plan (Allocations) 2014, emerging policy E13 of the Pre-Submission Havant Borough Local Plan 2036, and the National Planning Policy Framework.

- 3 The retrospective outside storage B8 uses and proposed change of use of land to enlarged hard surfaced manoeuvring area, is considered to result in an unsightly appearance with additional commercial vehicle movements that has a detrimental impact on the residential amenity of the area. The resultant visual intrusion from containers and builders storage on site, and noise and vibrations from commercial vehicles coming and going from early morning, would constitute an undesirable over-intensive commercial use of the site, which would have an adverse effect on the amenities of occupiers of adjoining properties in this otherwise quiet cul-de-sac location at this edge of settlement area. The proposal is therefore considered contrary to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 The proposal, without an Arboricultural Impact Assessment or mitigation strategy, has not adequately demonstrated that there would be no harm to the health of the trees subject to Tree Preservation Order number 1930. Continued future change to the stored items below the trees may have an adverse impact from ground compaction and height of stored materials, and could result in damage to the trees, thereby diminishing their health, appearance and longevity. The proposal is therefore contrary to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

In coming to its decision the Council considered plans and other documents submitted with regard to your application and the relevant policies of the Havant Borough Local Plan and other planning policy documents including the National Planning Policy Framework.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs
- (3) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
 - Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,In this instance:
 - The application is considered unacceptable for the reasons set out in the officers report.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

13 February 2020