

Appeal statement

Appeal against refusal of planning permission

Location: 391 Purbrook Way, Havant, Hampshire, PO9 3SE

Proposal: Following demolition of existing outbuilding at 391 Purbrook Way, construction of 1 no. two bedroom dwelling with associated landscaping (resubmission)

Appellant: Mr A Howe

LPA Reference: APP/19/00214

1.0 Appeal site and surroundings

1.1 Comprises part of the garden of an end of terrace post-war dwelling. It is located on the south side of Purbrook Way which is a busy classified road.

1.2 The area around the appeal site is residential in character predominantly smaller dwellings in short terraces, all built after the Second World War, probably in the 1950s and 60s. Many do not have on-site car parking. Some have created hardstandings within front gardens where ground levels allow this to be facilitated.



Figure 1. Appeal site viewed from the east.



Figure 2. Appeal site from north-west.

2.0 Appeal proposals

2.1 The planning application that led to this appeal was validated by the local planning authority on 19 February 2019. It proposed the demolition of an existing outbuilding within the curtilage of 391 Purbrook Way and the construction of a two-storey dwelling.

2.3 On 28 February 2020 planning permission was refused by the local planning authority for the following reason:

Development of the site in the manner proposed would not provide adequate provision of car parking in accordance with the Local Planning Authority's adopted standards set out in the Havant Borough Council Parking Supplementary Planning Document and would therefore have a detrimental impact on the amenities of occupiers of the building, nearby residents and the locality. The proposal is therefore contrary to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

3.0 Planning history

3.1 A previous planning application (LPA Ref: APP/18/01160) was submitted to construct a dwelling on the appeal site with an off-street car parking space, however, this was withdrawn on 4 January 2019 following a suggestion from the highway authority that an application should be made for a dwelling without the parking space. The reason for this advice was because of the change in ground level between the highway and the appeal site and the consequent highway safety issues that could be caused to pedestrians and vehicles using Purbrook Way if the parking space was provided.

4.0 Reason for appeal

4.1 The reason for refusal is considered unjust and not in accordance with advice in the National Planning Policy Framework (NPPF) that supports sustainable transport and the drive to build more homes in sustainable locations, such as the appeal site area.

5.0 Planning considerations and policy references

5.1 The following policies in the Adopted Local Plan have been referred to in the reason for refusal:-

5.2 Policy CS16 High Quality Design

Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

- 1. Responds to, draws inspiration from and respects local context and:*
 - a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;*
 - b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;*
 - c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;*
 - d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and*
 - e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*
- 2. Produces a positive relationship between buildings, street and spaces both existing and proposed, where:*
 - a) The layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;*
 - b) New streets are not dominated by vehicular traffic;*
 - c) The layout of the development is legible, meaning it is easy to orientate oneself and move through.*

3. Contributes to the improvement of the public realm close to the development, particularly sites close to town, district and local centres and other priority regeneration areas by using high quality hard and soft landscape material and street furniture; and where development is of a significant scale or prominence makes provision for public art.

4. Is inclusive by considering the needs of those with disabilities, ensuring safe and convenient access for all; and integrating affordable and supported housing with market housing through tenure blind design to minimise social exclusion and promote social integration.

5. Maximises opportunities for mixed use developments, particularly in town and district centres; and encourage higher densities (50+ dwellings per hectare) where appropriate.

6. Mitigates negative environmental impacts through sustainable design and construction methods, resource efficiencies, particularly water and the provision of facilities for waste recycling.

7. Adapts to the changing needs of the users and the changing climate over the lifespan of the building.

It would appear that the appeal proposal would comply with all the various paragraphs that make up this policy. The LPA presumably consider that there would be some conflict in respect of Paragraph 1(e). The planning officer's report states the following:-

However, due to the lack of on-site parking, the proposal would be significantly harmful, to the living conditions of neighbouring occupiers and the occupiers of the proposal and that outweighs the benefits associated with the scheme.

The planning officer's report makes it clear that the design of the appeal proposal dwelling is appropriate and there would be no detrimental impact on

the neighbouring dwelling in terms of privacy, daylight and sense of enclosure. In fact it is suggested the amenities currently enjoyed by the neighbouring dwelling's occupants could be improved as a result of the appeal proposal.

It follows therefore there is concern from the LPA that potential traffic generated by the appeal proposal would be harmful to the amenities of the occupiers of nearby dwellings and those of the appeal proposal dwelling. The amount of traffic likely to be generated by the appeal proposal dwelling is not considered to be of sufficient quantity to have a discernible effect on the amenities currently enjoyed by the occupants of neighbouring dwellings and the appeal dwelling.

5.2 DM13 Car and Cycle Parking on Residential Development

Residential development will only be permitted where it provides car parking and cycle storage in accordance with the standards set out in the Residential Car Parking and Cycle Provision Supplementary Planning Document.

The standards suggest two on-site car parking spaces unless there are special circumstances for a reduction. Although the appeal site location is not a town centre it is on a frequent bus route to nearby town centres at Havant and Waterlooville. As such this is a location where living without a private car would be possible without undue inconvenience. Furthermore, it has been demonstrated through car parking surveys there is capacity on nearby highways to absorb additional street car parking that may be generated by the appeal proposal.

5.3 Policy DM11 Planning for More Sustainable Travel

The council will seek to ensure that every opportunity is taken to increase integration of sustainable travel modes and availability of non-motorised modes by appropriate measures including:

- 1. Securing on-site and/or off-site interventions that promote integrated travel and access by non-motorised modes.*

2. Requiring safe and secure vehicular and cycle parking and turning facilities to adopted standards.

3. Securing appropriate improvements to public and community transport (including infrastructure requirements) in accordance with the Hampshire Local Transport Plan and (where applicable) the relevant sub-regional transport strategy.

4. Proposals for reducing opportunities for informal parking in the area surrounding the development where this would impact on the capacity, operation and safety of the local highway network and/or the amenity of the locality.

5. Ensuring that new developments are located and designed at the outset to encourage lower vehicle speeds and safe, permeable, inclusive layouts that integrate with existing pedestrian, cycle and public transport routes. This will facilitate and encourage short distance trips by cycle and walking, including to public transport interchanges.

The appeal proposal would accord with the tenor of this policy. Convenient and secure cycle storage would be provided and the appeal site location is considered accessible and suitable for car-free housing.

5.4 The NPPF includes guidance that is considered directly relevant to the appeal proposal, as follows:-

Chapter 9 is titled *Promoting sustainable transport*

At the heart of this chapter is a clear message about promoting development that is less reliant on private car use. In fact Paragraph 109 states that – *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe.*

Paragraph 110 (a) states that *applications for development should give priority first to pedestrian and cycle movements.....facilitating access to high quality public transport....and appropriate facilities that encourage public transport use.*

It is considered that the appeal proposal falls in line with this guidance by providing secure cycle storage facilities and encouraging the use of public transport through the appeal site location very close to bus stops and routes that access nearby town centres and those further afield.

5.5 Chapter 5 is about delivering a sufficient supply of homes and Paragraphs 68 is considered particularly pertinent to the appeal proposals. It states that - *small and medium size sites can make an important contribution to meeting the housing requirements of an area, and are often built out relatively quickly.*

5.6 The appeal proposal would be in line with much of the advice that makes up the NPPF in terms of sustainable development and the presumption in favour of such development.

6.0 Consultee responses

6.1 It is noted the Council's Highway Engineer raised no objection to the appeal proposal. Furthermore, other consultees appear to be generally content with the principle of a new dwelling on the appeal site subject to safeguarding conditions.

7.0 Assessment

7.1 The appeal proposal would provide a much needed new dwelling in the urban area that would be compatible with surrounding development. It is noted the LPA has no objection in principle to the appeal proposal but is concerned that highway activity, presumably occupants of the appeal dwelling searching for parking spaces, would cause unacceptable disturbance to nearby residents. As already suggested in this statement it is not considered that, if such activity occurs, it would have any perceptible impact on nearby residents' amenity.

7.2 The appeal proposal is considered to be in accord with advice in the NPPF (Paragraph 109) which recommends that...*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe.*

It is not considered there would be any unacceptable highway impacts, and this appears to be agreed by the Council's Highway Engineer.

7.3 To achieve climate change objectives there should be more encouragement to use public transport and other sustainable modes of transport. To insist on car parking provision arguably conflicts with these objectives. As such a new dwelling within the urban area without on-site car parking, as proposed in this appeal, should not, it is considered, be resisted.

8.0 Conclusion

8.1 The Inspector appointed to determine this appeal is respectfully requested to support this sustainable development and grant conditional planning permission.