



Havant
BOROUGH COUNCIL

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To:
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For: Mr Eyre

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

Application Number: APP/18/01184

Site Address: 200 Park Avenue, Waterlooville, PO7 5EZ

Proposal: Demolition of existing dwelling and garage, erection of 2No.semi-detached 2 bed dwellings and 1No.3 bed detached chalet style bungalow, all with onsite allocated parking, access from Park Avenue.

Further to your application received on 15 November 2018, which was valid from 20 November 2018, 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 site is a windfall site situated within a Flood Zone 3 and the development proposed is classified by the Environment Agency as a More Vulnerable Use. The National Planning Policy Framework requires that the Local Planning Authority undertake a Sequential Test to steer development to areas with the lowest probability of flooding. It is considered that there are sequentially preferable sites within the Borough and that the Local Planning Authority can demonstrate a 5 year housing supply. Therefore, there is no overriding justification for the development of an additional dwelling within a Flood Zone 3 which would result in an unacceptable risk to life and property from flooding. In particular it has not been demonstrated that the proposed development would be safe for the lifetime of the development or have a safe means of access and/or egress in the event of flooding. Consequently, there would be an unacceptable risk to the health and safety of the occupants in a flood event. As such, the proposal would be contrary to the provisions of the National Planning Policy Framework and Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.
- 2 The proposed development by virtue of its size, height, siting and design would result in an unacceptable overlooking form of development that would be un-neighbourly and detrimental to the amenities of the adjoining properties of 52 and 54 Alameda Road. Due to the change in levels across the site, the height of screen fencing required to provide appropriate safeguards and mitigation would be visually overbearing due to its length and height when viewed from the neighbouring properties. The proposal therefore conflicts with policy CS16 of the Havant Borough

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- 3 In the absence of a suitable agreement to secure appropriate mitigation measures, the development would be likely to have a significant effect on the Solent Special Protection Areas and so is contrary to Policy DM24 Havant Borough Local Plan (Allocations Plan) and the Conservation of Habitats and Species Regulations 2017.

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 2012.

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:

You were updated about issues with the application in terms of a number of matters being raised.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

15 January 2019