



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263

www.havant.gov.uk

To:
Mr Potter
James Potter Associates
Suite 1
Winter Works
Rear of 119 Winter Road
Portsmouth
PO4 8DS

For: Mr & Mrs Spurway

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

Application Number: APP/19/00020

Site Address: 101 St Albans Road, Havant, PO9 2JS

Proposal: **Erection of 1No one bedroom end of terrace dwelling.**

Further to your application received on 07 January 2019 Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

The reason(s) for the Council's decision to refuse planning permission are:

- 1 Development of the site in the manner proposed would amount to an over-development, in that it would give rise to substandard garden lengths and insufficient amenity space for both the occupiers of the existing and proposed dwelling. This would lead to a cramped and contrived layout, to the detriment of the character and appearance of the application site, and at variance with the character of the area. The proposal is therefore contrary to the adopted Borough Design Guide SPD, 2011 and policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.
- 2 The proposed dwelling would by reason of its size, layout and design result in an unbalanced external appearance harmful to the vernacular and rhythm of the host terrace and strong visual appearance of the area. Furthermore the size and bulk of the proposed dwelling would result in a prominent and overbearing development that would be visually harmful to the amenities and spatial characteristics of the area and the St Albans Road streetscene, conflicting with the established pattern of development in the locality. The proposal therefore conflicts with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework 2018.
- 3 Without the appropriate financial mitigation, the development would be likely to have a significant effect on the Chichester and Langstone Harbours Special Protection Area and so is contrary to Policy DM24 of the Havant Borough Local Plan (Allocations Plan) and the Conservation of Habitats and Species Regulations 2017.

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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
- (1) 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 after the initial site visit
- (2) The applicant is advised that if this application had been acceptable in all other respects, the scheme would be liable to the Community Infrastructure Levy Schedule which became a material planning consideration on 1st August 2013. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme will be liable to pay the Council's CIL upon commencement of development.
 - (4) The applicant is advised that in light of an appeal you would be required to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 08.00 - 18.00 and Saturday: 08:00 - 13.00.
This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance
 - (5) The applicant is advised that in light of an appeal you would be required to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site.
This is in order to protect the occupants of nearby residential properties from dust pollution.

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- (6) The applicant is advised that in light of an appeal you would be required to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.
This is in order to protect the occupants of nearby residential properties from smoke pollution.
- (7) The applicant is advised that in light of an appeal you would be required to ensure that any external lighting that may be installed on this site, within the grounds or attached to the building, is so positioned so as not to cause nuisance to neighbouring properties.
This is in order to protect the occupants of nearby residential dwellings from light pollution.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

04 March 2019