

**Planning Appeal -
Full Statement of Case**

DESCRIPTION OF DEVELOPMENT:

Erection of 1No. 1bed dwelling with associated refuse and cycle storage, landscaping and parking with provision of new refuse store for commercial use.



Planning Application Reference: APP/19/00019

Prepared on behalf of the Appellant

Mr T Ware

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1.0 Introduction

- 1.01 On the 29th March 2019 Havant Borough Council refused planning permission for the Erection of 1No. 1bed dwelling with associated refuse and cycle storage, landscaping and parking with provision of new refuse store for commercial.
- 1.02 This Full Statement of Case represents the Appellants case for the Appeal.
- 1.03 Reason for the appeal.
- 1.04 The reason for refusal is considered unjust and not in accordance with advice in the National Planning Policy Framework (NPPF) that supports sustainable development and Central Government's drive to build more homes in sustainable locations, such as the appeal site area.

2.0 Site and surroundings

- 2.01 The site is within a residential area although forms part of the rear service area to the adjacent shopping parade. The rear service area is currently an unattractive poorly used area although having the benefit of good access and ample parking.
- 2.02 The proposed scheme retains the existing garages and parking spaces no changes are proposed. In order to retain a level of refuse service for the commercial aspect a new refuse store is proposed to the west side of the service area, the proposed position still allows for ease of collection.
- 2.03 The adjacent properties are generally two storey of a traditional construction with pitched roofs. These properties form the frontage to Burnside and Meadway, which appear to have been constructed circa 1970's.

3.0 Planning History

- 3.01 Highfield Parade has had a number of planning applications, the site area for this application has some history with the following application.
- 3.02 06/71730/001
Garage Area adjacent to Highfield Parade, Burnside, Waterlooville
Proposal
Demolition of garages to form 4No. 1 bedroom apartments with cycles and refuse store and parking.
Decision Refuse perm/consent / refuse lawfulness
Decision Issued Date Tue 13 Mar 2007

4.0 Planning policy

- 4.01 Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4.02 Policy CS16 of the Havant Borough
- 4.03 Housing encourages the use of sustainable design, garden areas, adequate car parking and design that complements the existing character of the area.
- 4.04 The proposed development would complement the existing street scene.
- 4.05 The proposed development would also encourage a mixed community, with 1no 1 bedroom unit, so a variety of households will be found locally.
- 4.06 As Havant Borough Council needs a variety of new housing, within the borough, windfall sites such as this would provide much needed residential dwellings within the suburban landscape.
- 4.07 The proposal is for a residential development in an area that is predominantly residential. The quality of the environment in this location is not adversely affected.
- 4.08 Proposals such as these will ensure that Havant are able to achieve additional dwellings on previously developed land Concentration and Distribution of Development within the Urban Areas using 'redundant, derelict or underused land and buildings within the urban area' should be the priority for new development.
- 4.09 This area is under used and unsightly in context with the surrounding area the surrounding land is not used to its full potential and is in danger of becoming derelict if a sustainable use is not found.
- 4.10 The application site is located within a reasonably accessible location where shops and community provision is within walking distance. There is sufficient space on site to provide secure cycle storage and existing on-site car parking would be retained.
- 4.11 It is considered the proposed development would be compliant with relevant advice in Paragraph 14 of the NPPF and the twelve core planning principles which confirm a presumption in favour of sustainable development.
- 4.12 The three dimensions to sustainable development are economic, social and environmental. The economic role should ensure there is sufficient

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land of the right type and in the right places to support growth and innovation.

- 4.13 The social role supports strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations. It should also involve creating a high quality built environment with accessible local services to meet the community's needs.
- 4.14 The environmental role should contribute to protecting and enhancing the natural, built and historic environment. Furthermore, natural resources should be used prudently, waste and pollution minimized and climate change given a high priority by moving towards a low carbon economy.
- 4.15 It is considered that the proposed development accords with this advice. Paragraphs 47 to 55 relate to housing and it is considered that the development proposed would be in accordance with the guidance; particularly Paragraphs 49 and 50. Paragraphs 56 to 68 are about good design. Paragraphs 60 and 61 are considered most pertinent to the application proposals.
- 4.17 It is considered that the development would result in a well-designed scheme that would improve this un-used area.

5.0 The Case for the Appellant

5.01 The Planning application was refused for the following reasons:

5.02 The reason for the Local Planning Authority's decision is:-

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

1 Having regard to the size and shape of the plot and its relation to adjoining development, the proposed bungalow would result in a contrived form of development, detrimental to the visual amenities and character of the area. The forward siting of the proposed bungalow would be at variance with the more spacious linear setting of surrounding two storey development and would result in an incongruous and prominent development, detrimental to the visual amenities of the street scene. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2019.

2 By virtue of the site being adjacent a commercial rear service yard, the proposed development would not provide satisfactory living conditions for future occupants. The close proximity of the proposed dwelling to the service yard would result in a poor relationship with noise and

disturbance that would have an adverse effect on the amenities of future occupiers contrary to policy DM18 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2018.

3 The proposed car parking space would displace existing parking provision for the shops and flats and would not therefore provide adequate provision of car parking in accordance with the Local Planning Authority's adopted standards and would therefore encourage the parking of vehicles on the public highway, leading to indiscriminate parking, detrimental to highway amenity. The proposal is therefore contrary to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011, the adopted Parking SPD 2016 and the National Planning Policy Framework 2018.

4 The proposed layout, including realignment of the Meadway access, would result in the loss of parking within the service yard and narrowing of this two-way access point which is considered harmful to the amenity and safety of users of the service yard. Part of this land is adopted highway and without the appropriate legal agreement with Hampshire Highways the works to the highway cannot be undertaken. The proposal is therefore considered contrary to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework 2019.

5 The proposed design and layout including bungalow sited close to existing garages and the flat roofed replacement commercial refuse store, would provide opportunity for crime. The proposed scheme does not satisfactorily design out opportunities for crime and would leave residents vulnerable to antisocial behaviour. The proposal is therefore contrary to clause 2.a) of policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018

6.0 Rebuttal to these five reasons for refusal is as follows:

- 6.01 The reason for refusal is considered unjust and not in accordance with advice in the National Planning Policy Framework (NPPF) that supports sustainable development and Central Government's drive to build more homes in sustainable locations, such as the appeal site area.
- 6.02 Residential is considered to be an entirely appropriate use for the application site and would be compatible with the residential character and appearance of the Highfield Area.
- 6.03 The site is considered adequate in size to accommodate a one bedroom dwelling, there is a road frontage, whilst on-site car parking would be retained.

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- 6.04 An articulated frontage, and shape of dwelling is proposed to help to give visual interest to the proposed development; the proposed bungalow would not result in a contrived form of development, detrimental to the visual amenities and character of the area.
- 6.05 The Appellant confirms that he is in full control of the parking to the rear with the ability to control the coming and going of all cars. He will retain the existing car parking spaces for the flats and shops whilst providing a single space for the new development therefore not relying upon, on-street parking for this development.
- 6.06 A high quality pallet of materials are proposed bringing together a traditional feel and use for these materials to establish a fresh and vibrant feel to the street scene and supporting elevations.
- 6.07 The design makes the best use of this corner aspect maintaining an open space with a good sized garden to the side.
- 6.08 The proposed position of the dwelling is intended to extend the street scene and form a visual barrier from the seventies garage block at the rear.
- 6.09 The design picks up on a number of the local design points whilst reflecting a modern detached bungalow.
- 6.09 The fifth reason for refusal refers to the height of the proposed bungalow and refuse store in relation to the garage roofs, clearly the garages are accessible we are not aware of any crime as a result of access from the garage roofs as clearly scaling the fencing would be easier for any criminal activities.
- 6.10 Whilst we are aware of antisocial behaviour as a result of the current situation with fly tipping on a regular basis. Better use of this land would stop this.

7.0 Conclusion

- 7.01 The proposed development would be sustainable as defined in the NPPF and would result in a significant environmental enhancement in the area.
- 7.02 Overall the proposed dwelling would provide a good sized unit with acceptable levels of light, ventilation, outlook and amenity space.
- 7.03 The application proposals would not cause any significant amenity issues for nearby residents.

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- 7.04 The proposed dwelling would act as a screen and form a pleasing transition between the existing shops/flats and adjacent residential property.
- 7.05 The small dwelling proposed would be relatively low-value for which there is a need and demand in the Borough.
- 7.06 The Inspector appointed to determine this appeal is respectfully requested to support this sustainable development and grant conditional planning permission.