



Appeal Decision

Site visit made on 27 November 2017

by C Jack BSc(Hons) MA MA(TP) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1st December 2017.

Appeal Ref: APP/X1735/W/17/3181379

15 Langstone Road, Havant, PO9 1RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr T Phillips of Phillips Build Ltd against the decision of Havant Borough Council.
 - The application Ref APP/16/00668, dated 20 June 2016, was refused by notice dated 4 May 2017.
 - The development proposed is the erection of 4 no. 2 bed flats and 1 no. 1 bed flat with associated pavilion building housing bins and cycles together with parking and amenity space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form was for five 2-bedroom flats. The description of development was changed during the course of the application to that given above, which I have taken from the Council's decision notice.
3. The Council's second reason for refusal related to the lack of appropriate measures to secure a contribution towards the Solent Recreation Mitigation Project in respect of the Solent Special Protection Area (SPA). The Council has advised that it will not pursue this reason for refusal in the appeal because the required contribution has now been secured by the submission of a unilateral undertaking and the payment of £905 plus administration and monitoring fee. I am satisfied that this provides for adequate mitigation of recreational disturbance to the SPA, in accordance with Policy DM24 of the adopted Havant Borough Local Plan (Allocations) 2014 (HBLPA). Accordingly, I am satisfied that the development would not affect the overall integrity of the SPA. I have therefore considered the appeal on the basis of the Council's first reason for refusal only.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site forms part of the substantial garden area associated with 15 Langstone Road (No 15), a large detached house. Langstone Road is a

- main route between Hayling Island and Havant. The site is within an urban area which is predominantly residential in character, with commercial uses nearby, including offices, a hotel and pub near the A27.
6. It is proposed to construct an apartment building comprising five flats, together with associated car parking and cycle and bin storage. The apartment building would be set back from the road towards the rear of the site. A new access onto Langstone Road would be created to serve the development.
 7. Existing houses in the area are mixed in size, materials and design. Many are detached and some are very large. However, I saw that, with the exception of the adjacent bungalow at 17a Langstone Road (17a), development set substantially back from the road in rear garden 'backland' positions is generally absent, albeit the frontage building line is not entirely uniform. No 17a differs significantly from the proposed development, including because it is single storey and very well screened from the road such that the single garage door is the most visually apparent element of it in public views. Furthermore, the proposed development would be substantially larger in height, mass and bulk than No 17a. I am therefore not persuaded that backland development forms part of the prevailing pattern development in the area, or that No 17a sets a precedent of any significant weight in favour of the appeal proposal.
 8. The provision of five flats and the associated facilities would add to the general scale and intensity of the use of the site, compared to No 17a or to the two-storey dwelling previously permitted¹ at the front of the site approximately in line with No 15. I accept that a new entrance would have been provided in association with the permitted house, which would open the frontage to a similar degree. However, that house would be positioned in general accordance with the prevailing pattern of development. While significant soft landscaping of the site is proposed, including new hedging adjacent to the proposed access drive, the proposed development would be visible from the public realm, from where the uncharacteristic backland position would be generally apparent.
 9. The adopted Havant Borough Design Guide Supplementary Planning Document (SPD) 2011 acknowledges that backland developments have a role to play in delivering the Council's housing targets. However, among other things, it sets out that such development should maintain and enhance the character and quality of the area and that the development should be subservient and smaller in size, massing and scale to the frontage property. While I note that the scale of the proposed development is intended to reflect that of some large detached dwellings nearby, I consider that the overall massing and size of the development is not smaller than, or subservient to, No 15. The proposal would therefore be inconsistent with the SPD in this regard.
 10. For the reasons given above, I conclude that the proposed development would harm the character and appearance of the area. It would therefore conflict with Policy CS16 of the adopted Havant Borough Core Strategy (the CS), which sets out design criteria including that characteristics of the locality such as heights, massing and existing building lines should help inform the design of new development. It would also conflict with Policy CS9 of the CS, which sets out key housing requirements for the borough, in so far as it requires housing proposals to respect the surrounding character and built form. These policies

¹ APP/14/00673

pre-date the Framework but I consider that the relevant criteria are generally consistent with the good design principles set out within it. I have therefore afforded them substantial weight in this appeal.

Other Matters

11. I saw various other developments nearby, including the substantial, three-storey, flat-roofed, purpose-built block of flats at 29 Langstone Road. While this building is visually discordant with the predominant character of housing nearby, it does not occupy a backland position. In my view, it also does not contribute positively to the streetscene and, accordingly, it does not serve to justify the appeal proposal.
12. I have considered the various benefits that the proposal would bring, including the provision of additional dwellings in a generally accessible location and the creation of smaller residential units to add to the overall mix of dwelling types and sizes in the area. I have afforded these benefits some positive weight in this appeal.
13. I have also considered the appellant's willingness to consider reduced parking on site and the provision of additional landscaping instead. However, I am not satisfied that this would overcome my concerns in relation to the scale and backland nature of the overall scheme.
14. I note that the Council has not raised objection to the proposal in relation to various matters including neighbour amenity, highways and ecology and, on the evidence before me I see no significant reason to conclude otherwise. However, this position is neutral in the overall balance.
15. I conclude that none of the matters discussed in this section of my decision add materially to the case for or against the appeal.

Conclusion

16. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Catherine Jack

INSPECTOR