

Appeal Decision

Site visit made on 30 May 2018

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2018

Appeal Ref: APP/X1735/D/18/3196377

104 Hambledon Road, Waterlooville, Hampshire PO7 6UT

- 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 Miss Michelle Slater against the decision of Havant Borough Council.
 - The application, Ref. APP/17/01124, dated 15 October 2017, was refused by notice dated 9 February 2018.
 - The development proposed is the construction of a wall and two sets of gates to the front boundary (part retrospective).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the wall and gates on highway safety, and (ii) the effect on the character and appearance of the Hambledon Road street scene.

Reasons

3. On the first main issue, I saw on my visit that Hambledon Road is a busy through road; indeed during the half hour or so that I was outside No. 104 or in the immediate area there was a constant stream of traffic in both directions. I also acknowledge the comment from a neighbour that families walking their children to the local school use the footpath.
 4. Given these circumstances I consider that unless gates are set back from the back edge of the footpath by a car's length and with 45 degree splays, there would be unacceptable danger to pedestrians and other users of the highway from vehicles entering and leaving No. 104.
 5. However, the plans submitted with the application on which I must base my decision in this appeal do not demonstrate this arrangement, whilst I additionally note that because of the brick piers already built the occupiers of the houses on each side are having difficulty in achieving a satisfactory line of sight when leaving their parking areas. I understand that gates may no longer be part of the proposal, but again the submitted plans do not clearly show the appellant's current intentions.
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6. On this issue, on the information before me I conclude that the proposal would have an unacceptable effect on highway safety in contravention of Policies CS16 and CS20 of the Havant Borough Core Strategy 2011 ('the Core Strategy') and Government policy on transport in the National Planning Policy Framework 2012 ('the Framework'). (I have omitted policies in the Notice of Refusal that do not strike me as being directly relevant to this proposal).
7. Turning to the second main issue, in the event that gates were installed in a set-back position with 45 degree splays there is sufficient variety in front boundaries along this section of Hambledon Road to justify a higher form of enclosure than 1m for the central section of the boundary. However, a solid brick / fence boundary of up to 1.6m or 1.8m in height as currently proposed would be harmful to the street scene's pleasing character and appearance formed by the relatively open frontages.
8. A reasonable compromise might be a 1m high wall dwarf wall surmounted with open railings of the overall height currently sought for the boundary, as this would in part address the appellant's security concerns whilst maintaining an acceptable standard of visual amenity. I recognise that such a structure would have only very limited noise attenuation properties, but the traffic noise is an effect that all residents adjacent to this busy road need to mitigate with adaptations to the dwellings themselves.
9. In summary, with the wall and fence as proposed in the application, I consider that the appeal proposal would have an unacceptably harmful effect on the character and appearance of the street scene in conflict with Core Strategy Policy CS16 and Section 7: 'Requiring Good Design' of the Framework.
10. For the reasons explained above, the appeal is dismissed.

Martin Andrews

INSPECTOR