

**Full Statement of case for
Planning appeal for the erection of 3 number 4 bedroomed
detached properties on land to the rear of 70 Havant Road
Hayling Island PO110LH
Havant Borough Council Application number APP/17/00320**

This statement of case aims to challenge the three reasons for refusal given in the decision letter for this application dated 22/5/17.

Background.

This application is a second application for a development on this site (APP/16/01271), the first being an application made on 9/12/16 for 1 three bedroomed and three four bedroomed properties. Refusal of this application resulted in a revised application to address the reasons for refusal. The main changes made were the removal of a property on the highway next to the listed building so that the new development would be well set back and screened by the existing hedging.

Reasons for refusal

The reasons for the Council's decision to refuse planning permission were

- 1 The proposed dwellings with associated garages and hardstanding would, by reason of their number, siting, height, mass, bulk and design lead to a cramped and visually intrusive form of development at this prominent corner location. This would be harmful to the established pattern of development and the character and appearance of the area. The development is therefore considered contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the Havant Borough Design Guide Supplementary Planning Document 2011 together with the National Planning Policy Framework 2012.
- 2 The proposed development by reason of its scale, height, siting and overall appearance would adversely affect the character of the area and in particular would be detrimental to the setting of the adjacent buildings which are listed as being of special architectural or historic interest. It is therefore contrary to policies C11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Borough Publication Local Plan (Allocations) and the National Planning Policy Framework 2012.
- 3 The proposed first floor windows on the south elevation of the plot backing onto 72 Havant Road are likely to give rise to direct overlooking of the adjacent property at 72 Havant Road to the detriment of the amenities of the occupants of that property. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Response to reasons for refusal

In the following section the document addressed each of the reasons for refusal in order.

1. The proposed dwellings with associated garages and hardstanding would by reason of their number, siting, height, mass, bulk and design lead to a cramped and visually intrusive form of development at this prominent corner location.

We are somewhat surprised by this reason for refusal for the following reasons

A. Each plot satisfies the Havant borough council design guide in terms of plot depth and national requirements in terms of plot size

B.The density of the site is well below accepted standards at a rate of 15 units per hectare, PPS 3 states

47. Local Planning Authorities may wish to set out a range of densities across the plan area rather than one broad density range although 30 dwellings per hectare(dph) net should be used as a national indicative minimum to guide policy development and decision-making, until local density policies are in place.Where Local Planning Authorities wish to plan for, or agree to, densities below this minimum, this will need to be justified, having regard to paragraph 46.

C. The surrounding properties to the North, West East and South are all two storey buildings with similar or higher ridge and eave heights . The modern two storey building next to the northern boundary of the site has a larger footprint than any of the proposed buildings as does the modern two storey building to the western side of the site directly opposite number 72 Havant road (the listed farm house) in addition both number 72 and number 70 to the south have similar sized footprints. We would therefore suggest in terms of height mass bulk and site density the houses fit well into their surroundings

D. In terms of the development been visually intrusive at a prominent corner we are again surprised by this.

The development is heavily screened by any view from the public highway and will be seen only by a glimpse down the access road as a vehicle passes round the corner, (see drawing A109,) the property closest to the highway will be heavily if not completely screened from the highway by the existing hedge line (as Below)



2. The proposed development by reason of its scale, height, siting and overall appearance would adversely affect the character of the area and in particular would be detrimental to the setting of the adjacent buildings which are listed as being of special architectural or historic interest

- A. We believe the proposed development has little if any impact on the Listed building. The development is set well back from the highway (the closest dwelling is in excess of 20 meters off the highway and is screened by the hedge shown above) Thus the view to the public of the listed building will not be affected in any way
- B. The listing for the building refers only to its front Elevation (facing the Highway) "Symmetrical front(west) of 2 storeys 2 windows Brick walling in blue headers with red flush dressings eaves fascia rubbed arches (openings narrowed) vertical bands and quoins (projecting) first floor band cill height plinth. Early 19th century Sashes canopy on brackets above a plain doorway' no mention is made to its surroundings in its previous use as a farmhouse.
- C. The conservation officer comments in his response to the planning officer 'Cotterell farmhouse is Grade II listed and dates from 18th century It formed part of a U shaped courtyard this includes a grade II listed granary and converted barns ' The plan (including the barns and granary) adds to the historic significance of the listed building and its setting. Historically therefore cotterell farm was a remote cluster of buildings It is important that the sense of isolation from the surrounding urban expansion is retained.'

There seem to be a number of anomalies in this statement. The U shaped court yard the conservation officer referred to was not created until the 1990s . At this point the original listed barn was destroyed in a storm. What was left was demolished and reconstructed from scratch. (and hence it was delisted) The planning application and approval for this was reference 90/52097/007 and can be viewed on the Havant BC website. The wing of the barn (creating the U shape) was also created as a new build at this point, in addition the courtyard discussed was subdivided with a wall and fence. And a new build modern double garage and extension was added to the listed building. See Attached documents reference Garage 70 Havant Road 91 52097 20LB. The garages placement was in the U shaped court yard and included the demolition of outbuildings Reference 89/52097/4/LB thus changing further the character of the site.



Whilst the proposal will have no impact whatsoever on this part of the listed building and its neighbors sites, it is not reality to make out it retains some level of historical originality due to the buildings and boundaries around it, as in reality these are new buildings and boundaries created in recent years. From the details of the listing we feel the building was listed due to its west elevation rather than any historical context within it surroundings.

Despite the anomalies highlighted the conservation officer identified that the degree of harm to the listed building would be significant, but on balance, less than substantial. (report to planning officer May 2017)

3. The proposed first floor windows on the south elevation of the plot backing onto 72 Havant Road are likely to give rise to direct overlooking of the adjacent property at 72 Havant Road to the detriment of the amenities of the occupants of that property.

Again we are sum what confused by this statement The plot referred to does look onto number 72 havant road (property to the south of 70 havant road) however the elevation it looks onto is a gable end which contains only one obscured window. The distance to this gable end is just over 17 meters.

‘Back-to-Back Distance

5.05 In order to maintain a reasonable relationship between new dwellings and neighbouring properties, the following minimum distances should apply:

- Where windows of the new development and an existing dwelling occur back-to-back there should be a minimum of 20 metres separation
 - Where a new dwelling or the development is more than two storeys in height an additional four metres per storey should be added to the separation distance e.g. a separation distance of 24 metres is required between the new three storey building and existing two storey dwelling
 - **Where a dwelling faces a blank gable, 10 metres separation distance is required**
 - Garden length should normally allow 10 metres between the dwelling and the boundary. ‘

Whilst we feel that the design complies with this statement, due to the fact that one of the applicants is the owner of number 72 Havant road we would be happy to accept a planning condition that a mature evergreen tree screen be provided to screen the boundary to up to 5 meters.

Summary

Having looked in depth at the three reasons for refusal we feel they are unreasonable and do not justify refusing planning permission for this proposal. The proposed development would not obstruct any views to the listed building, due to the set back position of the development and the mature hedge line facing the road, the listed building would retain its setting and as such would not be effected or damaged by this Proposal. The new development is in context with the surrounding buildings both in terms of size and style and does not dominate the corner position it would occupy. We would therefore ask that this appeal be upheld