



Havant
BOROUGH COUNCIL

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To:
Mr C Flint
Chris Flint Associates Ltd
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For: Mr Flint

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

Application Number: APP/17/00223

Site Address: The Manor, Edward Gardens, Havant, PO9 3JJ

Proposal: Construction of 1No. four bedroom detached dwelling and detached triple garage and access from Edward Gardens, with associated soft and hard landscaping.

Further to your application received on 02 March 2017, which was valid from 16 March 2017 Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

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

- 1 The proposed development within the curtilage of The Manor a Grade II Listed Building and adjacent to Manor House boundary wall also listed Grade II would by reason of its siting and scale detract from the setting of the listed building and wall. Furthermore it would result in the separation of the Manor from its historic boundary wall and Bidbury Mead open space beyond and reduce views of The Manor from public vantage points impacting on its historic context and existing spacious setting. The proposal would therefore be harmful to the character and appearance of the Old Bedhampton Conservation Area. The development would fail to preserve the setting of the Manor and the boundary wall and would not preserve or enhance the character and appearance of the Conservation Area. The proposal is therefore contrary to policies CS11 and CS16 of Havant Borough Local Plan 2011, policy DM20 of the Havant Borough Local Plan (Allocations) 2014, Old Bedhampton Conservation Area Character Appraisal 1994, National Planning Policy Framework and National Planning Policy Guidance Conserving and Enhancing the Historic Environment 2014.
- 2 The proposed dwelling would be located adjacent to a large Yew Tree which is subject to a Tree Preservation Order. The tree would be dominant in relation to the dwelling impacting on the living environment of future occupants having an oppressive overbearing relationship and impacting on light. This relationship is considered to be unsustainable and is likely to result in future resident pressure to significantly reduce or remove the tree which would be difficult for the local planning authority to resist given the impact of the tree on the living environment of residents. The tree is a significant feature in the Old Bedhampton Conservation Area adding to the attractive character and amenities of the area. The proposal is therefore contrary to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy)

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- 3 The proposal, without completion of the appropriate binding arrangements in relation to the Solent Recreation Mitigation Project, is contrary to the Council's Policy on securing the necessary measures required and adopted by the Local Planning Authority. These measures seek to ensure that the provision is made from new development to counteract increasing recreational pressure on the Chichester & Langstone Harbours Special Protection Area. The development is therefore contrary to policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.

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
- (3) In accordance with paragraphs 186 and 187 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 sought and were provided with pre-application advice,
 - Your application was unacceptable in principle as submitted.
- (4) 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.

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

11 May 2017