



Havant
BOROUGH COUNCIL

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Mr N Vine

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

Application Number: APP/16/00312

Site Address: 9 Nightingale Park Havant PO9 2SE

Proposal: Change of use of room above garage to create 1No. 1 bedroom flat

Further to your application received on 30 March 2016, which was valid from 6 April 2016, 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 residential use would result in an unacceptable living environment for future occupants by reason of the limited usable floorspace/restricted head height and limited natural light within the first floor together with a lack of external amenity areas. The relationship to the adjoining residential use with access to parking taken across the frontage of the building, the use of the ground floor as garaging and the servicing area to the commercial premises to the rear would further reduce the quality of the living environment for future residents. Furthermore the introduction of the additional residential unit would be out of character with the surrounding pattern of residential development in Nightingale Park resulting in additional movement, parking and activity at the end of the cul-de-sac which would be harmful to the character and appearance of the area which is currently formed of detached properties set in ample mature gardens. The development would therefore conflict with the policy CS16 of Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.

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2. The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Recreation Mitigation Project, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning Authority. These seek to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. 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.

In this case the residential use is considered unacceptable in principle.

- (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

1 June 2016