

Appeal by James Tate

re.

**Site at 16 Latchmore Forest Grove ,
Waterlooville, Hampshire PO8 8XG**

APPENDICES

1. Inspector Hitchings' decision, June 2004.
2. Documents relating to application 04/64661/003.
3. Officers' Delegated Report re application APP/14/01166.
4. Havant Borough Core Strategy 2011 (extract).
5. Havant Borough Design Guide SPD, December 2011 (extract)
6. 'Housing' Supplementary Planning Document, July 2011 (extract).
7. Annual Monitoring Report, December 2014 (extract)



Appeal Decision

Site visit made on 24 May 2004

by **Edward Hitchings** BSc MRICS MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
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inspectorate.gsi.gov.uk

Date
08 JUN 2004

Appeal Ref: APP/X1735/A/04/1139230

Land adjacent to 16 Latchmore Forest Grove, Cowplain, Hants, PO8 8XG

- 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 J.E.Tate against the decision of Havant Borough Council.
- The application (Ref. 03/64661/002), dated 9 October 2003, was refused by notice dated 8 December 2003.
- The development proposed is to erect a 2-storey house.

Summary of Decision: The appeal is allowed and planning permission granted, subject to conditions set out in the Formal Decision below.

Procedural Matters

1. I shall determine this appeal in accordance with the revised site plan (ref.no.0356-201A) received by the Council on 12 November 2003. During my site visit, I noted that the relative positions of the adjoining dwellings, Nos.16 and 14a, were not accurately plotted on the revised site plan. Therefore, I established the proposed position of the house by reference to the edge of the road and the existing boundary between Nos.16 and 14A.
2. Close-boarded fencing has been erected along the east side of the appellant's bungalow. This fencing is connected to the boundary of No.14a across the lower part of his garden. The line of this fencing does not coincide with the appeal site boundaries. I have taken no account of it for the purposes of my decision.
3. There are 2 Tree Preservation Orders (TPOs) including trees on the appeal site. TPO No.0927 16-18A Latchmore Forest Grove, Cowplain, confirmed in November 1976, includes a group of 11 oak, birch and beech trees in the end of the garden of No.16 and on adjoining property. None of these trees are affected by the proposed building. TPO No.1297 16 Latchmore Forest Grove, Cowplain, confirmed in November 1986, covered 4 common oak trees within the existing curtilage of No.16. The only tree (ref.no.T1) that would have been directly affected by the proposed building has since been felled and other trees are far enough away not to be affected, even indirectly. Therefore, neither of these TPOs has any relevance to my decision.

Main Issue

4. I consider the main issue in this appeal to be the effect on the character and appearance of the street scene.

Planning Policy

5. The development plan includes the adopted Hampshire County Structure Plan 1996 - 2011 (Review) (SP), and the Havant Borough Local Plan (LP) adopted in June 1994. SP Policy UB3 requires all development to be appropriate in design, scale, layout and

density to its surroundings and to contribute to the quality of the built environment. LP Policy HO6 permits infilling, providing this is acceptable in terms of the impact on environmental quality. Amongst the criteria of LP Policy GDD1 are that new developments should be sympathetic and appropriate in relation to adjacent buildings, features, spaces and views, and conserve visually important trees. There should be no unreasonable loss or invasion of privacy, or harm to the outlook from neighbouring properties. Adequate daylight and sunlight for both the new and existing properties should be ensured.

6. The emerging Havant Borough District-Wide Local Plan 1996-2011 (DLP), dated February 2002, includes Policy H3 which permits residential infilling where the environmental quality of the area will be respected. DLP Policy D4 permits development that is sympathetic to the appearance of the area, avoids loss of privacy for adjoining dwellings, respects the outlook from nearby properties and is not overbearing. These design qualities should be applied to ensure the more effective use of land without compromising the quality of the environment. The plan is at an advanced stage where it carries substantial weight in accordance with PPG1¹.
7. National guidance in PPG3² urges local planning authorities to give priority to re-using previously-developed land within urban areas for housing, in preference to the development of greenfield sites. Designs and layouts should make efficient use of land without compromising the quality of the environment. PPG1 gives guidance on the design of new development and makes it clear that good neighbourliness and fairness are among the yardsticks against which development proposals can be measured. Thus the impacts of proposals on the living conditions of adjoining occupiers are material.

Reasons

8. The north side of Latchmore Forest Grove includes a mixture of detached and semi-detached houses and bungalows. With the exception of No.16 (a chalet bungalow), houses are grouped in the centre with bungalows at both ends of the road. The layout of these dwellings is unusual. Although the road is straight, the plots take a fan-shaped form. As a result, all the dwellings to the east of the appeal site are orientated to face slightly away from it. Conversely, all those to the west of it, including No.16, are also angled to face a little away from the site.
9. During my visit, I viewed the site in the context of the adjoining development and noted that it does not appear as narrow as its measurement would seem to imply. There seem to me to be 2 reasons for this. One is the curious orientation of the adjoining dwellings away from the site. The other reason is that the bulk of No.16 is towards the west side of its plot with only a single storey flat roofed element and conservatory to the east. Consequently, I do not consider that the proposed dwelling would look cramped on this site.
10. The Council correctly asserts that it would be the narrowest plot along the road, with the exception of the semi-detached houses on the opposite side of No.16. However, the advice of PPG3 to make effective use of housing land is an important material consideration in this case. I also noted during my site visit that there are 2 adjoining detached houses, on plots of similar width to the appeal site, just around the corner in

¹ Planning Policy Guidance Note 1: General Policy and Principles: (February 1997)

² Planning Policy Guidance Note 3: Housing (March 2000)

Forest Avenue. These did not appear to me to be incongruous in a similar mixed street scene.

11. The new house would be seen in views along the road from the east and west of the site. However, I do not consider that it would be unduly prominent or intrusive. As seen from the west, although No.16 is not a full 2-storey house, it has a strong presence in the foreground of the local scene, due to its half-timbered gabled design and projecting forward wing. As seen from the east, the proposed dwelling would be seen in the context of 2-large detached houses Nos.14 and 14a. I consider that it would close a rather unnatural gap in the street scene with a design that would be reasonably sympathetic to the very different buildings on each side.
12. I conclude that the proposal would not be detrimental to the character and appearance of the street scene. Therefore, in this respect, the proposal complies with the development plan, in particular SP Policy UB3 and LP Policies HO6 & GDD1, to emerging DLP Policies H3 & D4, and to national guidance in PPG3.

Other Matters

13. The occupiers of No.14a raised a number of concerns about the loss of daylight and sunlight to their property, the overbearing nature of the proposed house and the effect on the foundations of their house. I noted that at ground floor level on the west side of their house there is a garage with a window and glazed door, a shower room window and a glazed side door to the kitchen. There would be a small reduction in daylight and a loss of most direct late afternoon and evening sunlight to these windows. However, these are not main windows and the proposed dwelling would be sited about 1 metre from the boundary, allowing daylight from above and around the ends of the house. There would also be some loss of evening sunlight to the patio at the rear of the house. In general, I consider the occupiers of this house would continue to receive good levels of daylight and sunlight through the main windows and into the garden.
14. Similarly, I see nothing in the relationship between the 2 houses that would result in the proposed house being unduly overbearing, as seen by the occupiers of No.14A. Ensuring that the construction of a new building would be carried out so as to cause no harm to the structural integrity of adjoining buildings, is a matter for building regulation rather than planning control.

Conditions

15. I have considered the imposition of conditions suggested by the Council, in addition to the statutory time limit, in the light of Circular 11/95³. There are few details of materials in the submission and I agree that a condition requiring details of materials, and, where appropriate samples, to be submitted for approval is necessary. This would ensure that the coloration of the building blends satisfactorily with the existing bungalow and neighbouring buildings. As the building would be in close proximity to the adjoining dwellings it is important to ensure that it is not built at an excessive height above ground level, so that the prior submission of finished levels is necessary.
16. As the site is narrow and the house would be in close proximity to adjoining dwellings, I consider that the removal of permitted development rights for alterations and extensions, including roof alterations, is necessary to safeguard the interests of the neighbours.

³ Department of the Environment Circular 11/95: The Use of Conditions in Planning Permissions

However, the dwelling would have a long garden and I do not consider the removal of permitted development rights for incidental curtilage buildings (Class E) to be justified.

17. The proposal includes the provision of 2 parking spaces on the frontage. I agree that these should be made available before the house is occupied and kept available for parking thereafter, to avoid congestion on the public highway.

Conclusion

18. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

19. I allow the appeal and grant planning permission to erect a 2-storey house at 16 Latchmore Forest Grove, Cowplain, Hants, PO8 8XG, in accordance with the terms of the application Ref. 03/64661/002, dated 9 October 2003, and the plans submitted therewith, as amended by drawing No.0356-201A received on 12 November 2003, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission;
- 2) Before development is commenced, a schedule of materials and finishes, and, where so required by the local planning authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details;
- 3) No development shall take place until details of the proposed ground floor level and existing and proposed ground levels adjacent to the building, related to an Ordnance Survey datum, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved levels;
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no works within Schedule 2 Part 1 Classes A, B or C for the enlargement, improvement or other alterations to the dwelling hereby permitted, other than works that do not materially affect the external appearance of the building, shall be undertaken;
- 5) The dwelling hereby permitted shall not be occupied until the 2 parking spaces on the frontage have been provided as shown on the plans hereby approved. These shall thereafter be retained and kept unobstructed and available for parking at all times.

Edward Hitting

INSPECTOR



No. 14A



No. 16

Blue

16 Latchmere
Forest Grove

PROPOSAL PLANS

Martin Critchley
Consultants Ltd.
Burgan House, 8-10 East Street
Havant, Hampshire, PO9 1AQ.
023 92 474 919
critchleyarchitect@hotmail.com

Scale 1:100
Date 13/08/03
Drawn MHC

Revisions

A. No. 16 plot revised
11/11/03

0356-201^A

2

Bob

From: "Daniel Gender-Sherry" <Daniel.Gender-Sherry@havant.gov.uk>
Date: 23 June 2015 12:16
To: <roberttutton@msn.com>
Attach: 010043.pdf; 010040.pdf; 010041.pdf; 010042.pdf
Subject: 16 Latchmore Forest Grove
Dear Mr Tutton,

I have enclosed a copy of the Decision Notice for the above address, reference 04/64661/003.

Our records do not however contain the officers report. I apologise for this.

Kind Regards,

Daniel Gender-Sherry

Havant Borough Council
Enquiry Officer
Extension: 446526



Think before you print!

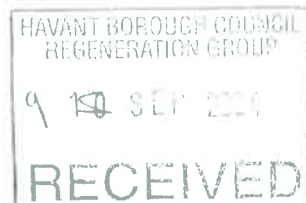
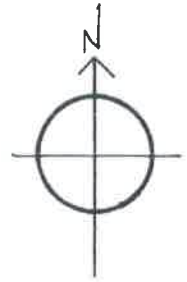


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23/06/2015

04/64661/003



Martin Critchley
Consultants Ltd.
Architectural and Design
Services.

Burgan House, 8-10 East St,
Havant, PO9 1AQ.
023.92.474.919

JOB

16 LATCHMERE
FOREST GROVE
COWPLAIN

DRAWING

LOCATION PLAN

Job No.

0356

Date 10-10-03

Scale 1:1250

Drawn P.C

Drg.No.

202

To:
Mr M H Critchley RIBA
Burgan House
8-10 East Street
Havant
Hants
PO9 1AQ

For: Mr J E Tate



THE TOWN AND COUNTRY PLANNING ACT 1990
Grant of Planning Permission

Application Number: 04/64661/003

Site Address: 16 Latchmore Forest Grove, Waterloo, PO8 8XG

Proposal: Construction of detached 3 bedroom house with associated parking and new access to Latchmore Forest Grove.

Further to your application received on 09 September 2004 Havant Borough Council, as Local Planning Authority **Grants Planning Permission** for the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with your application and;
- (ii) The following conditions:

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of 5 years from the date on which this planning permission was granted.
Reason: To comply with Section 91 of the Town & Country Planning Act 1990.
- 2 Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review) and GDD1 and HO6 of the Havant Borough Local Plan 1994.

- 3 No development shall take place until details of the proposed ground floor level and existing and proposed ground levels adjacent to the building, related to an Ordnance Survey datum, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved levels.
Reason: In order to protect the amenities of the neighbouring properties and to ensure the development is in keeping with the character of the area and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review) and GDD1 and HO6 of the Havant Borough Local Plan 1994.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modifications) no works within Schedule 2 Part 1 Classes A, B or C for the enlargement, improvement or other alterations to the dwelling hereby permitted, other than works than do not materially affect the external appearance of the building, shall be undertaken.
Reason: In the interests of the amenities of the neighbouring properties and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review) and GDD1 and HO6 of the Havant Borough Local Plan 1994.
- 5 The windows at 1st floor level in the north west and south east elevations of the building since marked 'x' on the plans hereby approved shall:-
- (i) consist of at least two lights divided horizontally with only the top light capable of being opened, and shall be maintained in that condition at all times; and
 - (ii) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.
- Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review) and GDD1 of the Havant Borough Local Plan 1994.
- 6 The dwelling hereby permitted shall not be occupied until the 2 parking spaces on the frontage have been provided as shown on the plans hereby approved. These shall thereafter be retained and kept unobstructed and available for parking at all times.
Reason: In the interests of highway safety and having due regard to policies and proposals T5 of the Hampshire County Structure Plan 1996-2011 (Review) and GDD1 and HO6 of the Havant Borough Local Plan 1994.

Other Important Information:

In reaching its decision the Council has had regard to the policies and proposals :-

Hampshire County Structure Plan 1996-2011 (Review)

UB3

Urban Regeneration

T5

Transport

Our Ref: 04/64661/003

Havant Borough Local Plan 1994

GDD1
HO9

General Development Control Policy
Extensions

The Council considers, having regard to the objectives of these policies and proposals, that the principle of the development is acceptable in this case, and also that the impact of the development is acceptable in terms of principle of development; the effect on the streetscene; and the effect on neighbouring properties. Having taken into account the requirements of Section 54a of the Town and Country Planning Act 1990 and all other material considerations, the Council has determined that planning permission should be granted for the development.

- (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 6573.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Department for Transport Local Government and the Regions, 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.
- (3) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Directorate of Environmental Services at the Civic Offices or by telephoning 023 9244 6015.

Stewart
for

Mrs J A Batchelor
Head of Planning and Development

04 November 2004

3 Proposal

- 3.1 The proposal is for the formation of a new access between and alongside the existing dwellings at No 16 and 14B Latchmore Forest Grove (this property is edged blue on the proposals plan) to serve a 2 bedroom bungalow to be sited to the rear. The existing single storey side extension to No16 would be demolished to provide space for the drive. The proposed bungalow which would lie to the rear of properties in Latchmore Forest Grove and Morley Crescent, would be served by 2 parking spaces which would abut the rear garden with No16. The existing dwelling a No 16 would be served by 3 parking spaces to the front, and would retain a rear garden of approx. 11 m depth. The main garden for the proposed dwelling would be some 7m by 12m.
- 3.2 The proposed bungalow would have a gross floor area of 60 sq m and externally measure approx 10m by 6.9m extending to 8.5m and a height to ridge of 4.665m. It would be sited 3.9m from the rear boundary with properties in Morley Crescent, a minimum of 1 m from the boundary with 16A Latchmore Forest Grove, and approx. 7.3m from the boundary with 14B Latchmore Forest Grove.
- 3.3 The current proposal seeks to address the reasons for refusal of application APP/14/00625, and the main changes relate to the access now shown as a minimum of 4m wide, the existing dwellings provided with rear garden depths of 11m, hedge planting shown along the boundary of No 14B(outside the application site but within the blue edging), the proposed dwelling as single storey with a ridge height of 4.665m (reduced from 4.81m), and moved out from rear boundary (now shown as 3.955m compared to 1.6m of the refused scheme). Additionally the bungalow is now shown a minimum of 1m from the boundary with No 16A Latchmore Forest Grove, compared to a minimum of 1.68m

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS21	(Developer Requirements)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

Havant Borough Design Guide

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Public Spaces Development Manager No open space implications.

Arboriculturalist No objection to previous application

Hampshire Biodiversity Information Centre- bat roost within 50m

Waste Services Manager

I have no waste collection concerns at this location.

Development Engineer - Highways

The Highway Authority have no adverse comment to this application subject to turning being provided to allow a vehicle to exit in a forward gear. I would also suggest that to accord with the HBC parking standards the planning Authority should condition the provision and retention of two parking spaces and cycle facilities.

Engineering/Drainage

No objection to previous application

Building Control, (Fire Access Consultation) Access width should be a min of 3.7m, and turning for access in excess of 20m. Consult HFRS

HFRS Access should accord with the Building Regs but It is not possible to determine this. If suitable access is not provided a compensatory feature such as an Automatic water suppression system should be agreed with the Fire Authority

Crime Prevention -Minor Apps No comments received.

Southern Water

No adverse comments - conditions and informative requested

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 12

Number of site notices: one

Statutory advertisement: Not applicable.

Number of representations received: 3

Summary:

- Over development of the original site
- Overlooked which will result in the loss of our privacy due to difference in ground levels.
- The visual impact of the development and the development is overbearing and out of scale for the neighbourhood
- ground stability and drainage from this proposed development.
- The Oak trees shown with TPO's in the plans are actually dead and have been given permission by the Council to be removed because they are unsafe. This has not been done yet and they will not provide any privacy to the occupants or ourselves.

- We are also concerned about the number of cars needing to park on site as both the original Bungalow and the latest build (2004) of a four bedroom detached property do not have garages. The amended proposal of a new 2 bedroom bungalow also does not have a garage. In addition the 4 bedroom property does not have a dropped curb. We are concerned where all these cars will park and object to having one parked alongside our garden fence where our 5 grandchildren currently play.
- Our final concern is that the latest build developed in 2004 has never been occupied and appears to be unsaleable due to poor build quality. We are concerned this new proposed build will be of the same standard.
- The loss of existing view from my own property that is directly situated north of the development and the loss of sunlight in to my south facing garden.

Comment:

see section 7

- 7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:
- (i) Principle of development
 - (ii) Effect on the character of the site and the area.
 - (iii) Effect on neighbouring properties
 - (iv) Highway implications;
 - (v) Effect on trees and wildlife;
 - (vi) Drainage and Flooding.
 - (vii) CIL Liability and SDMP
- (i) Principle of development
- 7.2 The application site is located within a defined urban area for development plan purposes. The construction of a new dwelling on the site is therefore considered appropriate in principle, subject to consideration of detailed development control criteria, which includes the provisions of the Borough Design Guide SPD as well as Core Strategy policies which promote high quality designs which respect the amenity of the locality and local residents.
- (ii) Effect on neighbouring properties
- 7.3 The proposed access would be sited up to the boundary with both No's 16 and 14B Latchmore Forest Grove. The drive would be only 4m in width and directly abut the adjacent buildings and their gardens resulting in motor vehicles and pedestrian activity in close proximity with associated noise and nuisance to the detriment of the amenities of the occupiers of the adjacent properties.
- 7.4 The proposed dwelling would be sited approx 3.9m from the boundary with properties to the north, 1m from the western boundary and 7m from the property to the east, and whilst the existing out buildings will help screen and reduce the impacts, the proximity to boundaries and limited space around the dwelling would result in nuisance to neighbouring properties from the activities and noise associated with a dwelling.

- 7.5 In respect to loss of privacy and overlooking, the previous scheme allowed for a 20m separation between main windows of properties in Latchmore Forest Grove in accordance with the Borough Design Guide. The current scheme shows a reduced separation of 18 to 19m, which is below the 20m guide. The shortfall is small and the proposed development is only single storey, but because of the difference in levels there is an associated loss of amenity from loss of privacy to the existing dwellings in Latchmore Forest Grove.

(iii) Effect on the character of the site and the area.

- 7.6 The proposed dwelling would be located to the rear of the existing frontage housing, which would provide some screening. The main visual impact would be from the access to the site, which would be by a new private driveway between No's 16 and 14B Latchmore Forest Grove. The submitted plans indicate an access drive of 4m width located between No16 and 14B. On the frontage and to either side of the access drive would be parking to serve the existing dwellings. The provision of this access squeezed in between the existing dwellings, would appear cramped and would result in a large extent of hardsurfacing. Whilst a number of properties have frontage parking, the proposal would result in a length of some 22m hard standing fronting Latchmore Forest Grove with only limited landscaping in the form of a boundary hedge to No 14B Latchmore Forest Grove, as such it would be visually intrusive and detriment to the street scene.

- 7.7 Latchmore Forest Grove is characterised by frontage development, and whilst some properties have been developed with rear out-buildings and garages, these serve the frontage dwellings, and do not create separate dwellings and gardens. The proposal would result in a dwelling set to the rear of the existing dwellings out of character with the form of development in the area, to the detriment of the amenities of the area. Whilst the applicant has made reference to backland development at 109 London Road, the layout and form of this development are not directly comparable and the area is of different character.

(iv) Highway implications:

- 7.8 The proposal provides parking in accordance with adopted standards and the Development engineer has not raised objection.

(v) Effect on trees and wildlife:

- 7.5 The Arboriculturalist advises that there are no current tree constraints, however, 4 trees on the site have been lost under the DDD procedure and the site layout limits the space for replacement planting and any replanted oak trees would not enjoy adequate space for development and as such there will be a decreased sustainable tree presence in the street scene.

(vi) Drainage and Flooding:

- 7.9 The Drainage Engineer has not raised any concerns and should the development proceed drainage could be dealt with by way of a condition.

(vii) CIL Liability and SDMP

- 7.10 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council

on the 20th February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre on new floorspace (measured as gross internal area). It is considered that there is a CIL liability for this site.

- 7.11 This development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. The measures of mitigation adopted by the LPA at the end of June this year requires a payment of £172 per dwelling to the Solent Disturbance Mitigation Project. This payment has not been received or a S106 in respect to the payment and therefore in the absence of the payment/agreement a refusal reason on this matter is applicable.

8 Conclusion

- 8.1 The proposed development is considered to result in an adverse impact on the character of the area, and to adversely impact the amenities of the existing properties..

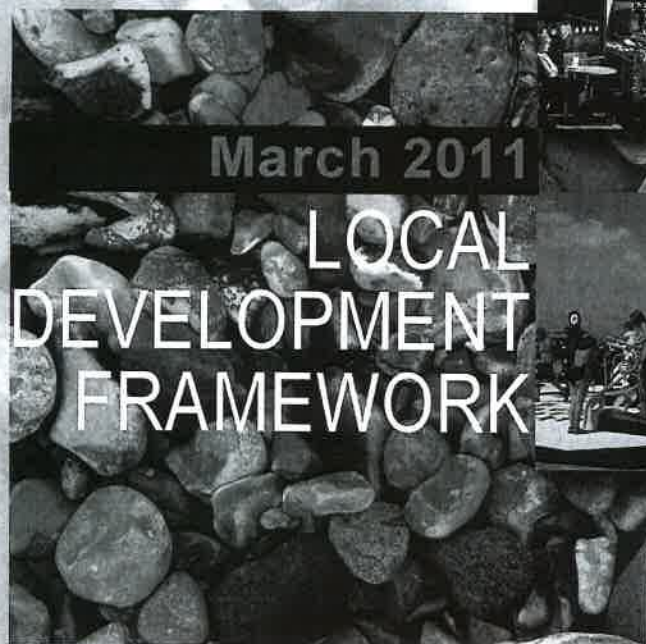
9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/14/01166 for the following reasons

- 1 The proposal owing to the cramped nature of the site and proximity of proposed development to the boundaries would result in a detrimental impact on the quiet enjoyment of the properties surrounding the site, and in particular those at 14B and 16 Latchmore Forest Grove by virtue of the close proximity of the access and resultant vehicular and pedestrian activity would be adversely impacted. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 2 The development proposed is considered to provide an unsatisfactory layout with a poorly located access drive and extensive hardsurfacing onto Latchmore Forest Grove to the detriment of the amenities of the site and the character of the area. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Borough Design Guide and the National Planning Policy Framework 2012.

- 3 The proposal would provide inadequate separation between existing and proposed windows resulting in loss of privacy to the existing dwellings in Latrchmore Forest Grove. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, The Havant Borough Design Guide and the National Planning Policy Framework 2012.
- 4 The proposal, without the completion of the appropriate binding arrangements to secure a contribution towards the Solent Disturbance Mitigation Project, is contrary to the Council's Policy on mitigating the impacts of development which, in accordance with approved Policy DM24 of the Local Plan seeks to mitigate the impact of new residential development on the Solent Special Protection Area (SPA).

Havant Borough Core Strategy



Cleaner, Safer,
More Prosperous

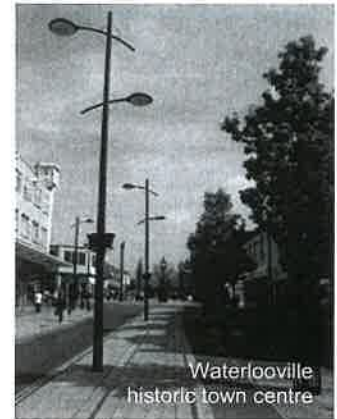
Design

Policy CS16 High Quality Design

Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

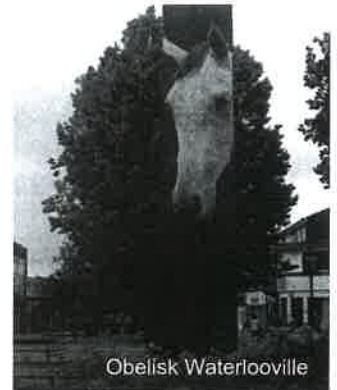
1. Responds to, draws inspiration from and respects local context and:
 - a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;
 - b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;
 - c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;
 - d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and
 - e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.
2. Produces a positive relationship between buildings, street and spaces both existing and proposed, where:
 - a) The layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;
 - b) New streets are not dominated by vehicular traffic;
 - c) The layout of the development is legible, meaning it is easy to orientate oneself and move through.
3. Contributes to the improvement of the public realm close to the development, particularly sites close to town, district and local centres and other priority regeneration areas by using high quality hard and soft landscape material and street furniture; and where development is of a significant scale or prominence makes provision for public art.
4. Is inclusive by considering the needs of those with disabilities, ensuring safe and convenient access for all; and integrating affordable and supported housing with market housing through tenure blind design to minimise social exclusion and promote social integration.
5. Maximises opportunities for mixed use developments, particularly in town and district centres; and encourage higher densities (50+ dwellings per hectare) where appropriate.
6. Mitigates negative environmental impacts through sustainable design and construction methods, resource efficiencies, particularly water and the provision of facilities for waste recycling.
7. Adapts to the changing needs of the users and the changing climate over the lifespan of the building.

7.39 The value of good design is also recognised by government at a national and regional level. Planning Policy Statement 1 Delivering Sustainable Development (PPS1) requires all local authorities to include policies that promote high quality design in their Core Strategies. Good design is important because it helps to improve quality of life, by providing economic, social and environmental benefits. Together well designed buildings, streets and spaces help to create attractive appealing places where people want to live, work and enjoy themselves. Well designed places can encourage social integration, equal access to opportunities, services and facilities, by reducing opportunities for crime and promoting management and maintenance of open spaces and public realm through natural surveillance.

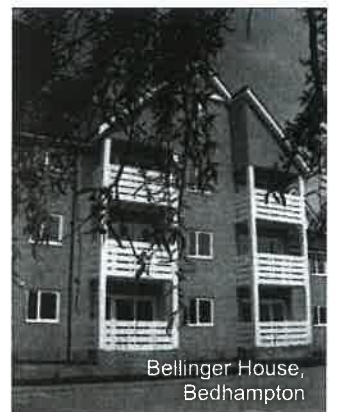


7.40 The borough has a diverse townscape character and built heritage, which is linked to the borough's historic relationship to the sea, waterways, agriculture and connections to larger urban areas including Portsmouth. The council recognises that certain places have a value that should be protected and enhanced and therefore there are a number of designated conservation areas; listed buildings; buildings of local interest; and historic parks and gardens. However, well designed buildings, places and spaces should not just be things we associate with the past or pleasures to be enjoyed by a few. Therefore it is important that good design is secured through all new developments including housing, retail, community, education, office or industry to ensure that every member of the community enjoys the benefits.

7.41 Whilst it is acknowledged that many parts of the borough are undoubtedly attractive, many others, particularly some of our suburban areas, are not well designed and in many cases they lack local identity, suffer from neglect, are vulnerable to crime and have poor connections to surrounding areas. The HBLDF's planned growth and regeneration of the borough up to 2026 offers a unique opportunity to turn this around and secure the highest design standards and quality in new developments to deliver attractive, inclusive, safe and sustainable communities for the future. The council therefore requires all new development is designed to a high quality through Policy CS16.



7.42 In accordance with PPS1 and the South East Plan, the design of developments should consider and respond to local context. By understanding the local context it is possible to determine positive elements of local character that helps to distinguish one place from another. This can include the materials used, typical plot widths and heights of buildings. In addition, development sites often have their own distinguishing features or character to take into account. This could include the form and layout of existing buildings and/or trees, plants and wildlife, which could be considered an asset. It is also important that new development sits well with its neighbours and does not have an adverse effect on their existing uses and amenity. These elements should influence the design of new development to ensure it integrates with its surroundings and either enhances areas of existing quality or introduces a more distinctive character to areas of weaker character. This does not restrict the style of the building; innovative contemporary designs may also be acceptable providing they have been inspired by the local context and make a positive contribution to the local area.



8. Spatial Distribution and Strategic Sites

Policy CS17 Concentration and Distribution of Development within the Urban Areas

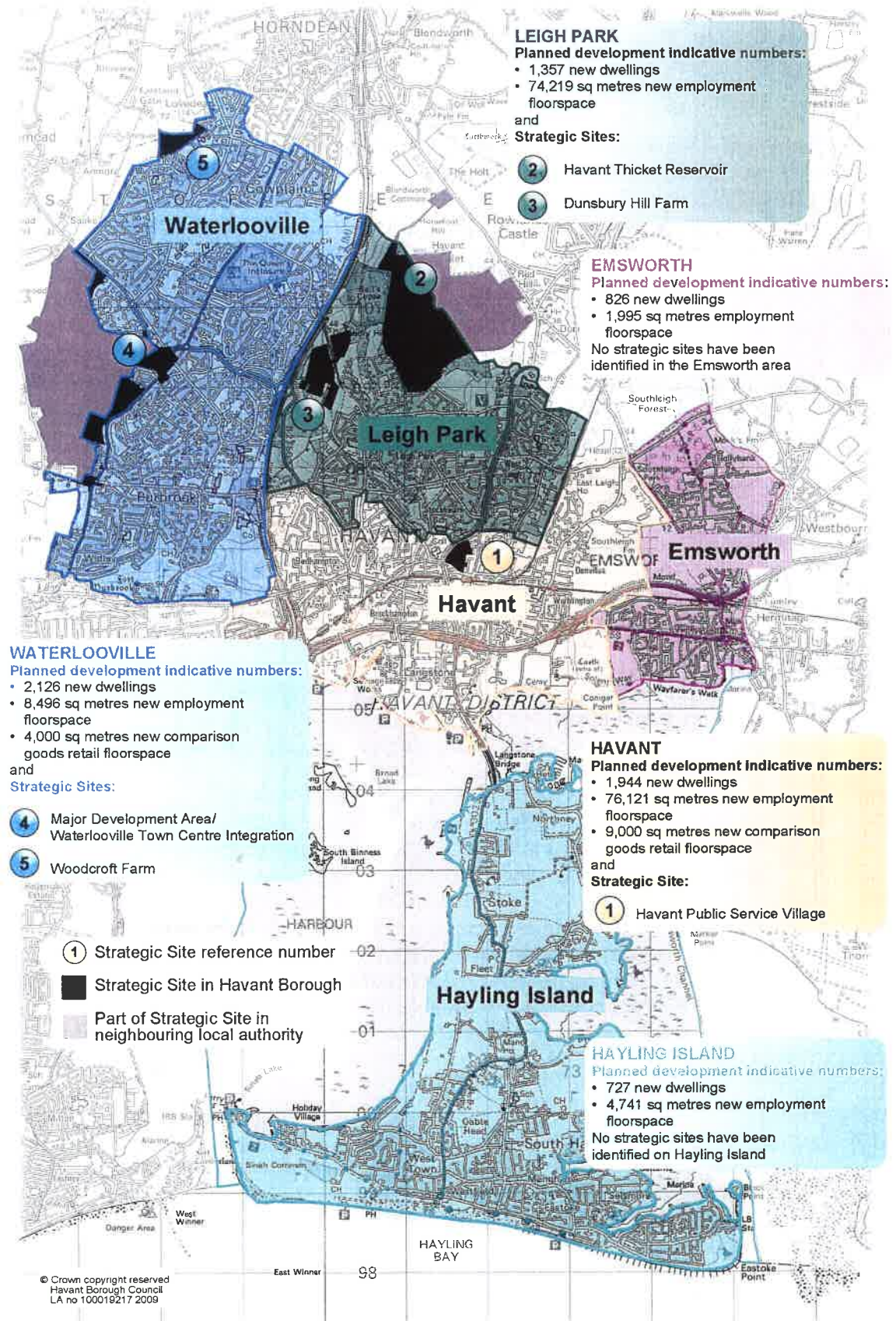
Development will be permitted that makes the most effective use of land in the borough by granting planning permission that:

- 1. Concentrates new housing, employment, retail, leisure and other development within the five urban areas of Havant, Leigh Park, Waterlooville, Emsworth and Hayling Island, as shown on the Proposals Map.**
- 2. Prioritises development on previously developed land, including redundant, derelict or underused land and buildings within the urban area.**
- 3. Broadly distributes the new housing and employment development in the five areas of the borough as indicated on the Spatial Distribution Map (Key Diagram).**

Development in the non-urban areas will only be permitted if it is consistent with the policies for the countryside set out in national policy.

- 8.01 The overall character of the borough is largely urbanised. There are less developed parts of the borough on Hayling Island and between the main settlements on the mainland, some of which are still actively farmed. The Core Strategy identifies the most suitable areas for growth and development to meet the requirements set out for the borough in the South East Plan. The priority for locating new development is in the existing urban areas where there are existing facilities to use and new development would have least impact on the range of highly protected biodiversity designations.
- 8.02 The South East Plan defines built up and urbanised places as the urban areas. There is a national presumption that development should be concentrated in these areas. The areas beyond the urban areas (previously countryside) are now defined as non-urban areas. The boundary definition for the urban and non-urban areas is identified on the Proposals Map.
- 8.03 The council has undertaken a number of assessments to understand and evaluate the development capacity of the borough's urban areas. The assessments included the Strategic Housing Land Availability Assessment (SHLAA), the Employment Land Review (ELR), the Open Spaces Plan, the Landscape Sensitivity Assessment and the Sustainability Appraisal. Despite prioritising future developments within the existing urban areas, it is clear that these areas cannot fully accommodate the housing and employment growth targets. As a result, the council has concluded that the urban areas must be extended in order to meet the South East Plan development requirements. The urban areas identified on the Proposals Map incorporate the strategic site urban extensions. Additional urban extensions will be identified in the Development Delivery (Allocations) Plan. The urban area will therefore be revised as part of that plan.
- 8.04 The Spatial Distribution Map (Key Diagram) Figure 8.1 shows the five areas of the borough and how the housing and employment development required by the South East Plan will be distributed. The housing numbers are shown as a range in order to comply with the requirements of PPS3 for a flexible supply of housing land and ensure that the South East Plan target of 6,300 homes is met. These potential sites have been identified in the Strategic Housing Land Availability Assessment (SHLAA). The housing figures do not include windfalls.
- 8.05 The spatial distribution has taken account of a wide variety of research evidence, stakeholder comments and the actual availability of sites. The Core Strategy sets out the overall distribution

Figure 8.1: Spatial Distribution Map (Key Diagram)



written justification should be provided including a justification of the need for an alternative use.

Space Standards, Density and Range of Houses

Where else to look:



PPS3: Housing: Identifies the key characteristics of a mixed community (paragraph 20) and also looks at the effective use of land for housing (paragraph 40). The density and type of housing to be provided is important in ensuring the efficient use of land. Policy CS9 and housing development will be monitored to ensure an appropriate balance between small, medium and large homes is being achieved taking into account identified housing need and the need to develop mixed communities. The type and tenure of housing will also be monitored. Should monitoring reveal an over supply of particular house types or a need for smaller homes then development would be expected to reflect these requirements. Where a proposal is limited in the type of accommodation proposed, developers are encouraged to incorporate flexible and extendable housing design to adapt to changing household requirements.

In more sustainable and accessible areas of the borough higher densities will be expected to ensure compliance with PPS1, which seeks sustainable development and PPS3, which seeks to maximise the use of land in appropriate locations.

Gypsies and Travellers

Where else to look:



Circular 01/2006 (Planning for Gypsy and Traveller Sites): Sets out the policy and legislative background for making provision for Gypsies and Travellers

Policy CS10 identifies the need to provide and protect sites for gypsies and travellers.

Travelling Showpeople

Where else to look:



Circular 04/07 (Planning for Travelling Showpeople): Sets out the policy and legislative background for making provision for Travelling Showpeople.

Policy CS10 identifies the need to provide and protect sites for travelling showpeople. It is recognised that the requirements of travelling showpeople can lead to the need for plots capable of storing large amounts of equipment together with caravans or mobile homes for residential purposes. In addition, occupiers may need to carry out maintenance and repairs on significant amounts of equipment. Where a site is otherwise acceptable, it may be

appropriate to consider the use of further screening to reduce noise levels and the visual impact of stored equipment.

Caring For Our Borough - The Coast and Natural Environment

- 10.28 The borough has a rich and diverse natural environment with an extensive coastline including two harbours, rivers, streams, open spaces and woodlands. The council recognises the importance of this unique environment and the need to protect and enhance it for both its nature conservation value and its recreation and public access opportunities. At the same time, the current standard of flood protection and water quality needs to be maintained.

DM8 Conservation, Protection and Enhancement of Existing Natural Features

Development will only be permitted where it protects and enhances local habitats and landscape distinctiveness and which addresses all of the relevant criteria as set out below:

- 1. Protects natural features of nature conservation and/or amenity importance on the site, for example trees, woodlands, hedgerows, soils, streams, stream corridors, springs, ditches or ponds from damage, destruction and a deterioration in quality.**
- 2. Sympathetically incorporates existing features into the overall design of the scheme including measures taken to ensure their continued survival.**
- 3. Provides new landscape works that integrate successfully with the local environment and existing natural features, using local materials and plant species and making provision for future maintenance of new landscape works associated with new developments.**
- 4. Ensures sequences of greenspaces are maintained and protects the attractiveness and visual amenity of all green open spaces that contribute to the identity of the borough.**

Havant Borough Council Borough Design Guide Supplementary Planning Document

December 2011



Cleaner, Safer,
More Prosperous



5. Specific Guidance on Residential Developments

Introduction

5.01 This section provides detail specific to residential developments, in particular:

- 1) General Principles for New Residential Developments
- 2) General Principles for Backland and Infill Developments
- 3) General Principles for Extensions and Additions to Existing Properties

5.02 Chichester Harbour Conservancy Design Guidance for New Dwellings and Extensions, 2011 is a material consideration and will help inform decisions on planning applications for residential development in Chichester Harbour AONB. To find out if your home is in the AONB please refer to the council's website or the harbour conservancy website. In summary the Chichester Harbour Conservancy Design Guidance for New Dwellings and Extensions, 2011 states that extensions to existing dwellings in the AONB should not exceed 50% of the existing building's footprint and 25% of the building's silhouette when an elevation is viewed from the wider countryside (providing the building has not been extended significantly in the past. If this is the case, the acceptable scale and form is likely to be less than the maximums stated). Any extension greater than this is likely to cause a negative effect on the AONB. For more information please refer to the Chichester Harbour Conservancy website.

5.1 General Principles for New Residential Developments

5.03 It is important that applications for new development consider the impact of the development on existing residents. The design of new development needs to balance the needs for the new home to have reasonable levels of privacy, whilst ensuring that the development and its residents engage with the street and public realm.

Perimeter Block Development

5.04 Buildings which follow a continuous building line around a street block and contain the private space within back gardens or courtyards, are often more successful than individual buildings that stand in the middle of a site. By clearly defining and enclosing private space at the back, buildings have better privacy and security. Therefore, the council encourages back to back development of housing and/or the development of perimeter blocks, where appropriate.

Back-to-Back Distance

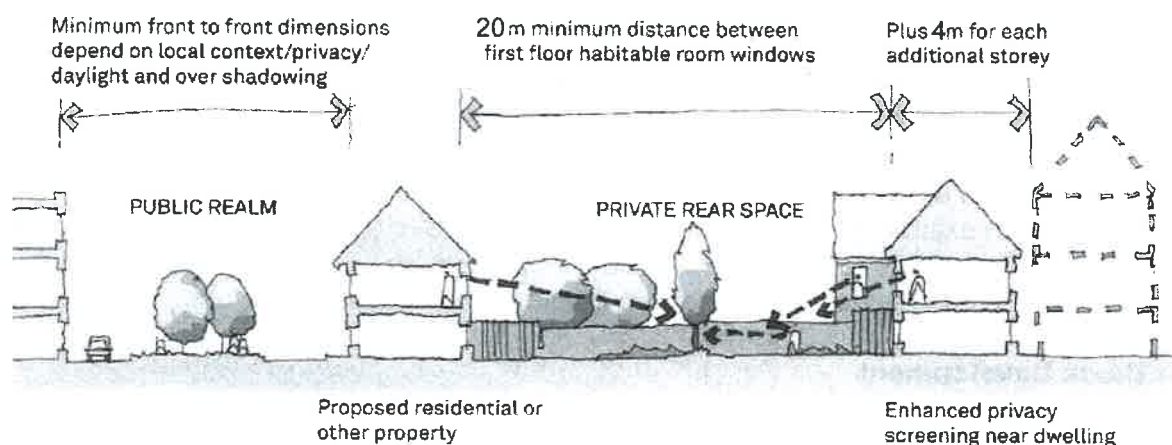
5.05 In order to maintain a reasonable relationship between new dwellings and neighbouring properties, the following minimum distances should apply:

- 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.

5.06 Some overlooking of gardens from the upper floors of dwellings will be unavoidable in most urban and suburban housing layouts. However, the design should aim to mitigate these effects as far as possible by carefully designing the internal floor layout to concentrate habitable rooms away from adjacent properties where overlooking could be an issue. The council could also impose a planning condition as part of a planning consent, requiring obscurely glazed first floor bathroom or secondary windows to protect residential amenity. Furthermore walls and fences or the use of soft landscaping could help screen views. The type and species of planting used should be appropriate for its context.

Figure 5.1: Back-to-back distances



Daylight

5.07 The design of new homes should maximise the amount of penetrable daylight to dwellings, whilst balancing other considerations such as privacy and the visual impact of the street. It is recommended that new dwellings should meet the daylight standards set out in BS8206 Part II (which also accords with the Code for Sustainable Homes Standard). For houses and flats, the impact of adjoining structures on the level of daylight available is particularly important in living rooms, dining rooms and kitchens. Daylight in bedrooms may also be considered, but is generally considered less important except where this is the main private accommodation such as in residential homes. Detailed proposals should also take account of local circumstances like level difference between properties and orientation.

Havant Borough Council Housing SPD



SUPPLEMENTARY
PLANNING
DOCUMENT

July 2011

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Housing Size and Mix

- 1.19 The council, together with other Hampshire local authorities in the Partnership of Urban South Hampshire (PUSH) sub-region, commissioned DTZ to undertake a Strategic Housing Market Assessment (SHMA) to update the need for affordable housing in the sub-region. The SHMA was first published in 2005 and has been revised and updated annually up to December 2010. The SHMA identified a significant and unmet need in the PUSH area for both open market and affordable housing.
- 1.20 The assessment also identified the number of bedrooms new housing should have, regardless of tenure. It indicates that the greatest need in the borough across all tenure types is for 3 bedroom units. However, at an affordable housing level the greatest need identified by Hampshire Home Choice is for 1 bedroom homes, and two bedroom homes in HomesInHants. The table below compares these figures, relating all housing to affordable housing need in the borough.

Table 1: Housing size mix for different tenure types

Bedroom	PUSH (all housing)	Hampshire Home Choice 2010 (Social rented)	HomesInHants 2010 (Intermediate)
1	25%	60%	24%
2	30%	31%	54%
3	33%	8%	21%
4+	12%	1%	1%

- 1.21 Overall, taking account of the information in Table 1, the greatest demand is for smaller households. However, there is a need for some larger homes particularly as families with children often have to wait longer for larger homes. This need has to be balanced with changing housing policies which are encouraging 'empty nesters' to move out of their larger units into smaller units. Site location and design/layout of development are important in encouraging such individuals to make the decision to downsize. This would free up some larger units but may not meet all of the need. Development in line with the Lifetime Homes Standards could also help achieve the flexibility of such units.
- 1.22 The PUSH SHMA study warned against over delivery of one bedroom properties as these are the least flexible dwellings. Building in extra space in the form of larger dwellings would have benefits in terms of providing better living spaces i.e. accommodation for shared responsibility for a child, starting a business, study or caring for a relative. The costs of providing an extra bedroom can be marginal, the properties can be occupied by a wider range of households and the benefits in terms of flexibility of two or more bedroom homes can contribute to the stability of communities.
- 1.23 Exact proportions of housing size will vary from site to site, although an indication of the size of units that will be sought is given in Table 3 (on page 22). Generally the aim will always be to increase the amount and proportion of dwellings with two or more bedrooms for all housing tenures as this is the greatest housing need irrespective of tenure types. This will enable the council to meet the general housing need and provide the most flexible housing stock. There will, therefore, be a preference for a range of housing sizes and types with increased provision of two bedroom or more properties i.e. with three or more bed spaces, for all properties.

Havant Borough Council Annual Monitoring Report 2014



- 5.16 The table shows that if all sites were developed as projected then the borough would meet the 6,300 target during the 2023/24 year. There is a slight surplus expected at the end of the plan period. This approach ensures flexibility in order to meet the 6,300 new dwelling requirement.

H3 New and converted dwellings on previously developed land

- 5.17 This indicator refers to the proportion of new and converted dwellings (gross) built on previously developed land (PDL) in 2013/14. It should be noted that the NPPF excludes private residential gardens from its definition of PDL. This makes historical comparison difficult as prior to the NPPF residential garden land was considered as PDL. The figure provided below is based on the current PDL definition which excludes gardens.
- 5.18 Of the 221 gross completions during the reporting year 29% were built on PDL.

H5 Affordable housing completions

- 5.19 The council's adopted Core Strategy seeks to achieve 30-40% of new homes to be affordable on sites of 15 dwellings or more and with sites of 5-14 dwellings provision should either be on-site or an equivalent financial contribution provided.
- 5.20 A net total of 60 new affordable homes were built throughout the borough during the reporting year (30% of net completions).

H7 Number and proportion of completions (gross) by dwelling size during 2013/14

- 5.21 It is considered important to monitor the changing size of dwellings since there is a trend in a reduction of household size. The figures in Tables 5.6 and 5.7 show that 28% of completions in the borough during 2013/14 were one and two bedroom dwellings. This is a notable reduction compared to previous trends and may be a reflection of a market shift toward family sized dwellings which reflects the stronger area of the market after the 2008 economic downturn.

Table 5.6: Number and proportion of new homes completed during 2013/14 in relation to dwelling size

Size of dwelling	Number of dwellings completed (gross)	Proportion of total completions (gross)
1 bed	14	6%
2 bed	48	22%
3 bed	94	43%
4+ bed	65	29%
Total	221 (gross)	100%