



**Havant**  
**BOROUGH COUNCIL**

Public Service Plaza  
Civic Centre Road  
Havant  
Hampshire PO9 2AX

T 023 9247 4174  
F 023 9248 0263  
DX 50005 Havant

[www.havant.gov.uk](http://www.havant.gov.uk)

To:  
Mr Jay  
The Planning Service  
135 North Lane  
Clanfield  
Waterlooville PO8 0RL

For: Mr Guest

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**The Town and Country Planning (Development Management Procedure) (England) Order  
2010**  
**Refusal of Planning Permission**

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**Application Number:** APP/14/01066

**Site Address:** 29 Forest Close, Waterlooville, PO8 8JE

**Proposal:** Removal of existing detached garage and erection of 1No. 2 bed dwelling with access from Service Road to garage block.

Further to your application received on 13 October 2014, which was valid from 21 November 2014, 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 Development of the site in the manner proposed would amount to an over-development, in that it would result in an unsatisfactory plot size with inadequate amenity space for future occupiers and would be a cramped and congested layout. The close proximity to adjacent dwellings results in insufficient separation distances with the resultant loss of outlook and overshadowing, detrimental to the residential amenity of both the future occupiers and the occupiers of No 29 Forest Close. Furthermore, the proposed development is considered to be out of keeping with the more spacious character of the detached dwellings in the vicinity. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the adopted Residential Design Guide SPD 2011 and the National Planning Policy Framework 2012.
- 2 The proposed tandem parking for 3 vehicles would not provide an acceptable parking layout; such a layout is contrary to the advice contained within the adopted Residential Parking and Cycle Provision SPD, March 2010. This is likely to result in the parking of vehicles on the public highway which would interrupt the free flow of traffic, detrimental to highway safety. The proposal is therefore contrary to policies CS16, CS19, CS20, and DM13/DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 The layout and siting of the proposed development would result in the loss of a tree on the site that is considered to be important to the visual amenity of the local landscape. In the absence of any Arboricultural Survey or Assessment justifying the loss of this tree, the proposal is considered contrary to policy CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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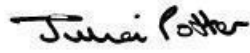
- 4 Due to the site's overgrown and unkempt character it is likely to be colonised by Protected Species and the proposed development could result in the loss of biodiversity on the site. In the absence of any Ecological or Protected Species Survey with appropriate mitigation measures, the proposal is considered to be contrary to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 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).

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](http://www.planningportal.gov.uk/pcs)
- (3) 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.
- (4) 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:
  - Your application was unacceptable as submitted and no further assistance was required.
- (5) Your attention is drawn to the provisions of the Conservation (Natural Habitats &c) Regulations 1994 which makes it an offence to deliberately capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It may be possible to obtain a licence from the Department for Environment Food and Rural Affairs (DEFRA) if the loss of a protected species cannot be avoided. For further advice about licences you can contact DEFRA European Wildlife Division on 08459 33 55 77.

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Julia Potter  
Executive Head - Economy and Planning

16 January 2015