



Havant
BOROUGH COUNCIL

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To:
Mr M Gillings
Mike Gillings - Building Plans
248 Milton Road
Cowplain
Waterlooville
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For: Tectonica Ltd

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

Application Number: APP/14/01020

Site Address: 71 & 73 Third Avenue, Havant

Proposal: Demolition of 71 and 73 Third Avenue, and the construction of 4No. 2 bed houses and 2No. 3 bed houses with parking and landscaping.

Further to your application received on 29 September 2014, which was valid from 07 October 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 over-development, in that it would give rise to unsatisfactory plot sizes and to a cramped and congested layout. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework 2012.
- 2 Having regard to the size and location of plots 7/8 & 9/10 and their relation to adjacent development, the proposed development would be detrimental to the visual amenities and the quiet enjoyment of the adjacent properties. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework 2012.
- 3 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Disturbance Mitigation Project, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the LPA which seeks to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. It is therefore contrary to policies 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.

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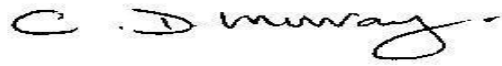
- 4 On the basis of the limited information available to the Local Planning Authority regarding the use of parking spaces P9 and P10, it is not considered that it has been demonstrated that the parking could be provided in a satisfactory manner without the need for vehicles to reverse onto the adjacent highway, to the detriment of highway safety. The proposal is therefore contrary to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 The layout and siting of the proposed development would result in a tree important in the local landscape and subject to a Tree Preservation Order being located such as to have an excessive and over-bearing impact on the amenities otherwise enjoyed by occupiers of Plot 9 of the development, thereby putting at undue risk the long term conservation of the tree. It is therefore contrary to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 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 were updated about issues after the initial site visit.
- (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.

- (5) Network Rail have provided a consultation response that has been publicised on the Council's website. This consultation response includes a number of Informatives and recommendations for this development proposal adjacent to the railway.

A handwritten signature in black ink, appearing to read 'C. D. Murray'.

Mr Chris Murray
Service Manager (Planning Development)

02 December 2014