

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

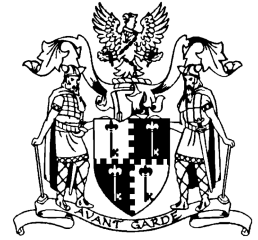
**STATEMENT OF
HAVANT BOROUGH COUNCIL**

**Land adjacent to 8 Westbourne Close,
Emsworth, Hampshire, PO10 7QY**

**Local Planning Authority Reference:
APP/13/00228**

**Planning Inspectorate Reference:
APP/X1735/A/13/2202188/NWF**

HAVANT BOROUGH COUNCIL



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY MR LONG AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR ERECTION OF 1No. 3 BED DETACHED HOUSE WITH NEW ACCESS FROM WESTBOURNE CLOSE, AT LAND ADJACENT TO 8 WESTBOURNE AVENUE, EMSWORTH, PO10 7QY

Planning Inspectorate Reference: APP/X1735/A/13/2202188/NWF

LPA REF: APP/13/00228

1.0 THE APPEAL SITE AND ITS SURROUNDINGS

- 1.1 The appeal site consists of a narrow strip of land which sits adjacent to No. 8 Westbourne Avenue, on the corner of Westbourne Avenue and Westbourne Close. The length of the strip of land runs parallel with Westbourne Close and the site is enclosed by a 0.6m high wall. Westbourne Avenue is characterised by large, two-storey detached dwellings. Westbourne Close, is characterised by bungalows, set back from the highway with gardens to the front and on site parking provision.

2.0 PLANNING HISTORY

APP/10/00430

Erection of 2 bed detached dwelling house with new access from Westbourne Close. Refused under delegated powers - 20/9/10.

APP/11/01179

Erection of 1No. 3 bed detached house with new access from Westbourne Close. Refused under delegated powers – 27/10/11. An appeal under written representations was made against the decision (Reference – APP/X1735/A/11/2166421/NWF). This was dismissed on 16/5/12. A copy of the decision can be found at Appendix F.

3.0 THE APPLICATION

- 3.1 The proposal is a revised scheme following the refusal of APP/11/001179 and its dismissal at appeal. The revised scheme proposes a 1 no. bedroom. detached bungalow with vehicular access from Westbourne Close. The main changes between this scheme and the previously refused scheme are as follows:
- i. Change from a two-storey dwelling to a bungalow with a maximum ridge height of 4.4m.
 - ii. Reduction from two bedrooms to one bedroom.
 - iii. Change in orientation so that the main frontage faces onto Westbourne Close and not Westbourne Avenue.
 - iv. Footprint of the building is narrower. It would be moved 0.7m further into the plot from the shared west boundary with No.8 Westbourne Avenue. It would be moved 0.5m further into the plot from the east boundary with Westbourne Close.

v. The private amenity space would now be located to the north and south of the dwelling to form two side gardens.

3.2 The application was refused under delegated powers on 20 June 2013 for the following reason:

1. The design and appearance of the proposed dwelling would result in a contrived and cramped form of development, incompatible with the existing surrounding development. The proposal would therefore result in an incongruous form of development, detrimental to the character of the street scene and amenities of the area. The proposal would therefore be contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

4.0 PLANNING POLICY

4.1 The application has been determined against national planning policy statements, and planning guidance and local planning policy. With regards to local planning policy, the application was determined against relevant policies from the Havant Borough Core Strategy 2011, which was adopted on 1 March 2011 and forms part of the Local Development Framework. The relevant policies included CS16 (High Quality Design), CS21 (Developer Contributions) and DM12 (Mitigating the Impacts of Travel).

4.2 Policy CS16 (High Quality Design), advises that development proposals would only be permitted where it can be demonstrated that they respect the local context and use characteristics of the locality to help inform the design of new development including heights, massing, existing building lines, plot widths and depths, materials and proportions of doors and windows. Development proposals should avoid causing detrimental impact on the neighbouring properties.

4.3 Policy CS21 relates to developer requirements for on site and off site infrastructure in the Borough. It advises that where new or improved infrastructure is essential for planning permission to be granted, the council will require the on-site or off site provision and/or contributions through planning obligations, agreements or tariffs in accordance with the relevant legislation for off-site provision.

4.4 Policy DM12 relates to mitigating the impact of travel. It advises that new developments will be required to mitigate their travel impact, including the environmental impacts of travel (such as noise, air and visual pollution) and impacts on amenity, health and climate change. This includes ensuring that adequate provision is made for integrated and improved transport infrastructure or appropriate mitigation measures, through direct improvements and S106 contributions in accordance with the Hampshire County Council Transport Contributions Policy.

4.5 National planning policy guidance is contained in the National Planning Policy Framework (NPPF). Of relevance is Section 7 (Requiring Good Design).

4.6 On the 14 December 2011, Havant Borough Council adopted the Borough Design Guide Supplementary Planning Document (Appendix O). This document supplements Policy CS16 of the Havant Borough Core Strategy and aims to raise the standard of design across the borough. It sets out the council's design expectations with regard to new development and helps to identify and define the distinctive character and qualities of the borough that should be respectfully improved and enhanced through development.

5.0 REPRESENTATIONS

5.1 The application which is the subject of this appeal was published in accordance with the Council's adopted publicity procedures and 16 neighbour notification letters were sent. In addition one site notice was posted. A total of 5 letters of comments were received by the Planning Authority regarding the planning application. Copies of the representation replies have previously been forwarded to The Planning Inspectorate. A summary of the objections are as follows:

- i. The property would be out of keeping as it would not be set back from the highway with substantial garden to the front.
- ii. Construction vehicles would cause disruption.
- iii. The dwelling would adversely affect privacy and outlook of No. 1 Westbourne Close.
- iv. There is an inadequate drainage of surface water in Westbourne Close. The development would result in an increase to run off water which would contribute to flooding.
- v. Foul sewerage from No's 10 and 12 Westbourne Close runs beneath the application site and may constitute an insurmountable problem for servicing access.
- vi. Any permanent dwelling would have to be so small that it would stand out in sharp contrast to neighbouring larger properties.
- vii. The space between the side elevation and the boundary with No. 8 Westbourne Road is out of character with the street scene.
- viii. The location of the access to the parking area is cause for concern as there are already two other drives in close proximity. This could result in a potential highway risk.
- ix. The tandem design for the parking could result in highway safety risks if it is not utilised carefully.
- x. The proposal for one bungalow is supported as with one bedroom it is likely that this would appeal to a single occupant and therefore only likely to have one car.

6.0 PLANNING CONSIDERATIONS

6.1 Having regard to the relevant policies of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the reasons for refusal given in the Decision Notice dated 20 June 2013, it is considered that the main issues for consideration are:

- i. Appeal Decision relating to Planning Application APP/13/01179
- ii. Appropriateness of the Design and Effect on the Street scene

i. Appeal Decision relating to Planning Application APP/13/01179

- 6.2 As the proposed scheme subject to this appeal seeks to address the points of concern raised in the Inspector's decision against planning application APP/11/01179, it is necessary to consider whether the concerns raised in the decision have been overcome. This is examined in paragraphs 6.5 – 6.10. A copy of the appeal decision can be found at Appendix F.
- 6.3 In paragraph 8 of the appeal decision, the Inspector states that the previously proposed dwelling would have been sited close to its shared boundaries and would not reflect the spacious layout and character of properties within the surrounding area and by reason of its siting and size, it would appear a cramped form of development when viewed from the junction.
- 6.4 In paragraph 9 of the appeal decision, the Inspector states that the material harm to the street scene would be accentuated by the proximity of the side elevation of the dwelling to Westbourne Close, which would form a dominant and incongruous feature in the street scene of Westbourne Close.

i. Appropriateness of the Design and Effect on the Street scene

- 6.5 The proposed dwelling has been reduced in scale from a two-bedroom house to a one bedroom bungalow. A change in orientation means that the dwelling would now front onto Westbourne Close as opposed to Westbourne Avenue. This change in orientation was to address the concern raised in the appeal decision (paragraph 8), over the lack of space about the building and to provide more space either side of the building.
- 6.6 However, the issue still remains that the proposed plot is still very narrow in width. Even with the change in orientation, there would be minimal space to the front and particularly the rear of the building. Although the dwelling would set back from the highway of Westbourne Close, it would still be closer than other properties in the streetscene. A characteristic of Westbourne Close is that the plots include spacious front gardens and due to the narrow width plot, the proposed scheme cannot replicate this characteristic. There is almost no gap between the rear of the dwelling and the shared boundary with No. 8 Westbourne Avenue. This gives the impression, principally from the view of Westbourne Avenue, that the dwelling appears cramped within the site. Overall this would not be compatible with the existing character of development and would therefore be contrary to Policy CS16 of the Local Plan.
- 6.7 Concern has been raised that the proposed dwelling would be so small in footprint that it would appear contrived in the context of the existing built development on Westbourne Avenue. Although the dwelling would front onto Westbourne Close, the footprint of the dwelling would still be significantly smaller than any of the other surrounding dwellings. This coupled with the noticeably more narrow plot, means that the property would appear contrived when viewed in context with existing properties in both Westbourne Avenue and Westbourne Close. It is considered that this would be harmful to the visual amenity of both streetscenes, which is again contrary to Policy CS16 of the Local Plan.
- 6.8 On the 14 December 2011, Havant Borough Council adopted the Borough Design Guide Supplementary Planning Document (Appendix O). This document supplements Policy CS16 of the Havant Borough Core Strategy and aims to raise the standard of design across the borough. It sets out the council's design expectations with regard to new development and helps to identify and define the distinctive character and qualities of the borough that should be respectfully improved and enhanced through development.

- 6.9 Table 4.1 of the document refers to local patterns of development. It states that the layout of development should reflect the layout and pattern of development in the neighbouring area, looking to adjoining properties first. The width of the plot and width of the proposed building should be similar to that prevailing in the local area, looking to immediate neighbours first.
- 6.10 The proposal as discussed above, would be contrary to advice in policy CS16 (High Quality Design) of the Core Strategy 2011 and the adopted Borough Design Guide Supplementary Planning Document.

7.0 COMMENTS ON THE GROUNDS OF APPEAL

- 7.1 The points raised in the appellants' grounds for appeal have largely been addressed under the 'Planning Considerations' section of this statement.

8.0 CONCLUSION

- 8.1 In summary, for the reasons set out above, it is considered that the design and appearance of the proposed dwelling would result in a contrived and cramped form of development, incompatible with the existing surrounding development. The proposal would therefore result in an incongruous form of development, detrimental to the character of the street scene and amenities of the area. The proposal would therefore be contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8.2 The Inspector is therefore respectfully requested to dismiss this appeal. Should, however, the Inspector be minded to allow the appeal and grant permission for the proposal, the Council would request that the planning conditions set out in Appendix (P) are attached to any permission.

APPENDICES

- (A) Site Location Plan
- (B) Block Plan
- (C) Design and Access Statement
- (D) Landscape and Parking Plan
- (E) Proposed Floor Plans and Elevations (DN: 3A)
- (F) Appeal Decision to Planning Application APP/11/01179 (APP/X1735/A/11/2166421).
- (G) Proposed Block Plan for Planning Application APP/11/01179
- (H) Borough Design Guide Supplementary Planning Document
- (I) Suggested Conditions

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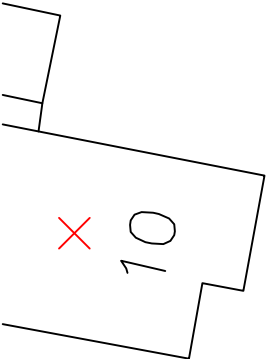
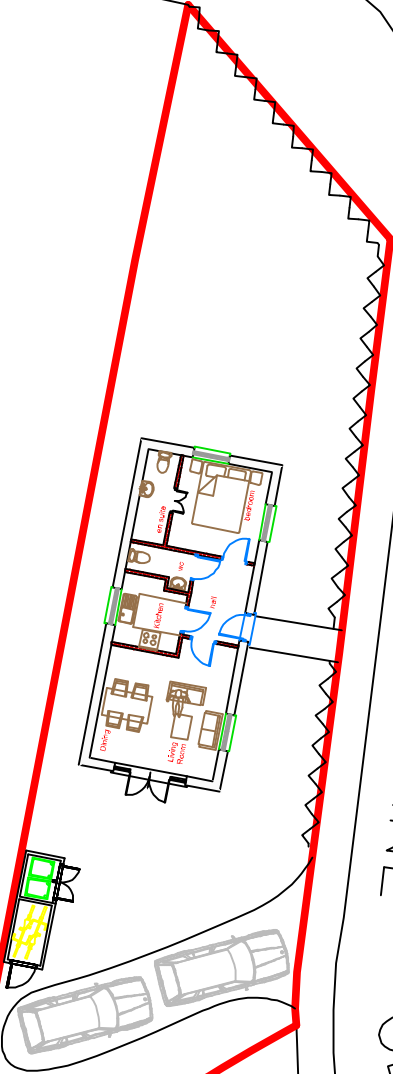
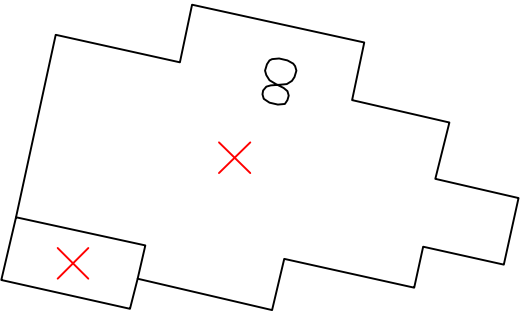
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Sheet 1 – Location Plan
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WESTBOURNE AV

WESTBOURNE CLOSE



Erection of 1no One Bed Bungalow with Access from Westbourne Close.

Land Adjacent 8 Westbourne Avenue, Emsworth

Design & Access Statement

Introduction

- Planning application APP/10/00430 proposed a 2 bedroomed chalet bungalow on this plot.
- Permission was refused on 20 September 2010 with officers being concerned that the size and shape of the plot would not allow for development of a standard compatible with the surrounding development.
- That scheme was amended to address the concerns raised. It proposed a house, in keeping with properties to either side and has less ground coverage. This planning application [APP/11/01179] was refused and a subsequent appeal was dismissed.
- The appeal decision letter is dated 16 May 2012. In paragraph 6 of the decision letter the inspector considered the site to comprise vacant land within the built up area. As a result, in principle, the erection of a dwelling would be an appropriate use of the site. He considered that this matter should be given significant weight.
- In paragraph 8 the inspector considered that from Westbourne Avenue the proposed 2-storey dwelling would fit well into the streetscene. However he considered that its width and siting was unacceptable as it would be sited close to its side boundaries. As a result it would appear cramped.
- In paragraph 9 the inspector considered the height and massing of the flank elevation to Westbourne Close to be dominant and incongruous; such harm made worse by the lack of a side garden and there being only a single opening breaking-up the massing of the flank wall.
- This new scheme seeks to address the concerns raised by the inspector. In particular the scheme provides for:

- o A bungalow is proposed in order to ensure that its bulk is minimal;
- o A side garden is proposed;
- o The side elevation has a number of openings and a front door;
- o More space is provided to the side gardens.
- It is considered that these amendments have resulted in a scheme which is wholly acceptable on all counts.

Assessment of physical context

- This application seeks to construct 1 no one bedroomed bungalow on land to the east of 8 Westbourne Avenue, Emsworth.
- It comprises vacant land at the junction of Westbourne Avenue with Westbourne Close.
- It is located at a transition point where the detached houses in Westbourne Avenue change to bungalows in Westbourne Close.
- The existing house at #5 is a post war housing estate house of no distinct style.

Social/economic context and planning context.

- The benefits of this development are to ensure that maximum use is made of urban land within the Emsworth area – thus making a valuable contribution to the LPAs unidentified sites housing figures.
- It will provide 1 dwelling for a single person or perhaps an elderly couple.
- The form of development chosen for this site is conceived within the framework established by central government policies and advice and adopted Local Plan policies and Supplementary Planning Guidance. The site lies within a clear line of dwellings on land within the built up area wherein there is a presumption in favour of development being permitted.

Involvement of local interests

- None

Evaluation

- The above opportunities and constraints have led to the following principle responses which when applied to this site have produced the proposals contained on the drawings submitted with the application to which this document relates.
- The scale and character of the surrounding area and the need to ensure that the

form of the development chosen – ie a house echoes the immediate style of properties around the site.

Design Principles

- Having regard to the advice contained within PPS3 it is considered that a design response, which incorporates the characteristics of existing developments within this part of Emsworth, and makes best use of the site and surroundings without detriment to the amenities of adjoining residential properties represents the most suitable response.
- The scheme has been designed to specifically address the concerns highlighted by the inspector in the appeal decision letter.

Amount of development

- A single 1 bedroomed bungalow is proposed.

Layout

- The proposal lies to the east of 8 Westbourne Avenue, Emsworth.
- The proposed dwelling reflects the nature of the site – having a north-south alignment.
- To ensure that the elevation facing Westbourne Close is not oppressive, landscaping in the form of laurel hedging is proposed – this will assist in breaking up the bulk of the side elevation.
- Frontage parking has been avoided in order to provide an appropriate setting to the dwelling. Parking is to be provided to the rear, at the southern end of the site.
- It is considered that the scheme's design response is an appropriate design solution, which makes best use of this vacant site at a density appropriate to the character of the area.

Scale

- The building is single storey.

Landscaping

- The site is currently devoid of landscaping.
- Existing boundaries will remain as they are and then be supplemented by laurel hedgerow planting along the frontages to both Westbourne Avenue and Close.

Appearance

- In terms of design the scheme draws on the varied mix of dwellings in the locality and seeks to ensure that a quality dwelling is constructed.
- Multi stock bricks and plain tiles will be used.

Access

- Pedestrian and vehicular access will be from Westbourne Close.
- Two parking spaces are proposed for the dwelling along with secure parking for 2 cycles.
- There is a wide highway verge and all existing properties in the cul de sac of Westbourne Close reverse onto the road. The same approach is proposed here.
- The access point is close to the apex of the bend in order to ensure that good visibility exists.
- In terms of access to the transport network it is confirmed that a good bus services connects the site to Emsworth Town Centre to the south and the village of Westbourne to the north.

Transport Assessment

- **Relationship of site to shops, entertainment and employment.**

The site is within walking distance of a range of facilities. In particular community facilities, schools and shops are all within walking distance.

The nearest employment area is approximately 1 mile to the south and can be reach by bus, walking or cycling.

The industrial estates on the east side of Havant can be reached by bus and train – the later by travelling from Emsworth railway station which is located a short walk away from the site.

- **Proximity to Transport Infrastructure.**

It is located within 100m of a local bus route whereby buses provide travel into Emsworth and Westbourne.

In addition, and to promote travel by cycle, the dwelling will have a secure and enclosed cycle shed to store 2 cycles.

I therefore consider that the site is located within a highly sustainable location and this will minimize the need to travel by car.

Foul sewerage and utilities assessment

- A gas supply exists in Westbourne Avenue. Foul sewerage mains exists in the road and serves the site. Emsworth's foul sewerage system has the capacity for the additional sewerage generated by this single plot scheme. Similarly the existing surface water drainage system in Westbourne Avenue and Close is considered adequate for the minimal run-off that may be generated by the scheme. Accordingly there are no issues with regard to foul sewerage or other utilities.



Front elevation of #8 Westbourne Avenue – property to the west.



Front elevation of #10 Westbourne Avenue – to the east of the site



#1 Westbourne Close



Example of access drive in Westbourne Close without turn on site facility



View of the application site looking north



Appeal Decision

Site visit made on 5 April 2012

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 May 2012

Appeal Ref: APP/X1735/A/11/2166421

**Land to the east of 8 Westbourne Avenue, Emsworth, Hampshire
PO10 7QY**

- 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 B Long against the decision of Havant Borough Council.
 - The application Ref APP/11/01179, dated 26 June 2011, was refused by notice dated 27 October 2011.
 - The development proposed is the erection of 1 no. three bedroom house with access from Westbourne Close.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the determination of the application by the Council and the submission of the appeal the National Planning Policy Framework (NPPF) has been published and is a material consideration upon which the parties have been able to comment.
3. The address stated on the application form has been adopted for reasons of clarity and a unilateral undertaking has been submitted by the appellant.

Main Issues

4. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the surrounding area and (b) transport infrastructure.

Reasons

Character and Appearance

5. The appeal site is situated within a predominantly residential area at the junction of Westbourne Avenue and Westbourne Close. The properties within the area are generally detached houses and bungalows sited within wide plots and are set back from the road to the rear of landscaped front gardens. Where dwellings are situated on corner plots, they are generally set back from the footway to the rear of gardens and the massing of the flank wall is broken-up by openings. By reason of the type, siting and design of the dwellings, the
-

surrounding area possesses a predominantly spacious character and appearance.

6. Based on the available evidence and the site visit, it appears that the site is neither previously developed land, as defined in the NPPF, nor does it currently form part of a private residential garden. Instead, the site is vacant land within the urban area and, in principle, the erection of the proposed dwelling would be an appropriate use of the site, particularly because of the reasonable access to local facilities within the wider area. These matters should be given significant weight in favour of the appeal scheme.
7. The Council refer to Policy CS16 of the Havant Borough Core Strategy (CS) which requires development to be designed to a high standard, including using the characteristics of the locality to help inform the design of new development. The Core Strategy has recently been adopted and this policy is consistent with the NPPF which attaches great importance to the design of the built environment with good design being a key aspect of sustainable development. Detailed guidance to implement CS Policy CS16 is contained in the Council's Supplementary Planning Document: *Havant Borough Council Design Guide* (SPD).
8. When viewed from Westbourne Avenue, the proposed 2-storey dwelling would fit well into the streetscene, particularly the continuity of the properties being set back from the road to the rear of a front garden. However, because of its width, the proposed dwelling would be sited close to its side boundaries and would not reflect the spacious layout and character of properties within the surrounding area. By reason of siting and size, the proposed dwelling would appear a cramped form of development when viewed from the junction.
9. This material harm to the character and appearance of the surrounding area would be accentuated by the proximity of the side elevation to Westbourne Close. When viewed from this road the height and massing of the proposed dwelling would be a dominant and incongruous feature within the streetscene and would not provide an effective transition between the adjoining houses and bungalows. This adverse harm would be accentuated by the lack of a side garden and only a single opening breaking-up the massing of the flank wall. The landscaping suggested by the appellant would not adequately mitigate the adverse harm.
10. On balance, it is judged that those matters in favour of the appeal scheme are demonstrably outweighed by the adverse impacts associated with the design of the proposed dwelling and the harm which would be caused to the character and appearance of the surrounding area. Accordingly, it is concluded that the proposed development would materially harm the character and appearance of the surrounding area and, as such, the proposed development would conflict with the high quality design requirements of CS Policy 16, the SPD and the NPPF.

Transport Infrastructure

11. CS Policy DM12 requires developments to mitigate their travel impact and CS Policy CS21 contains a requirement for contributions to be made towards infrastructure provision, including for transport. The Council has identified the method of how a contribution towards transport improvements is calculated

and the schemes within the local area which would be related to the proposed development. Accordingly, the requirement for the contribution is judged to meet the statutory requirements of Article 122 of the *Community Infrastructure Levy Regulations 2010* and the tests in the NPPF.

12. However, although a signed unilateral obligation has been submitted it is undated and it cannot be taken into account because of the uncertainty whether the owner is bound by its provisions. Accordingly, it is concluded that the submitted planning obligation would not secure the payment of the contribution towards the provision of transport infrastructure and satisfy the requirements of CS Policies DM12 and CS21.

Other Matters

13. The proposed development seeks to address the objections by the Council to a previous scheme for the erection of a chalet bungalow on the site. Although the differences between these schemes have been noted, this appeal has been determined on its own merits.
14. The outlook from adjoining properties would change but, by reason of the separation distances between the existing and proposed dwellings there would be no material harm to the occupiers of the neighbouring properties. For similar reasons, no adverse harm would be caused to matters such as loss of daylight or sunlight. Potential overlooking from the proposed bathroom window within the side elevation facing towards 8 Westbourne Avenue could be controlled by a suitable condition.
15. There is no objection from the Council to the effect of the proposed development on the tree on the boundary of the site and there are no reasons to disagree with the Council on this matter. Although the proposed access to the parking area is close to an existing private drive, based on the observations made during the site visit, the alignment of the road and speed of traffic, there would not be an unacceptable danger to the safety of other highway users.
16. Matters such as the location of the boundary between the site and No. 8, the stationing of a caravan and the potential existence of a foul water sewer do not alter the conclusions reached on the main issues.
17. None of these other matters, whether individually or cumulatively, outweigh the material harm which has been identified. Accordingly, for the reasons given and taking into account all other matters including the presumption in favour of sustainable development contained in the NPPF, it is concluded that this appeal should fail.

D J Barnes

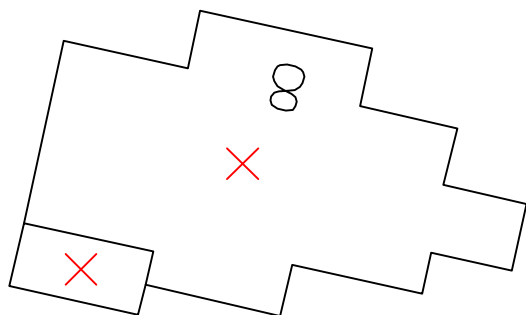
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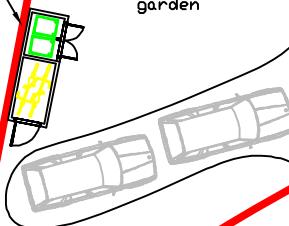
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WESTBOURNE AV



existing 1.8m
panel fence



new laurel
hedging

garden

garden

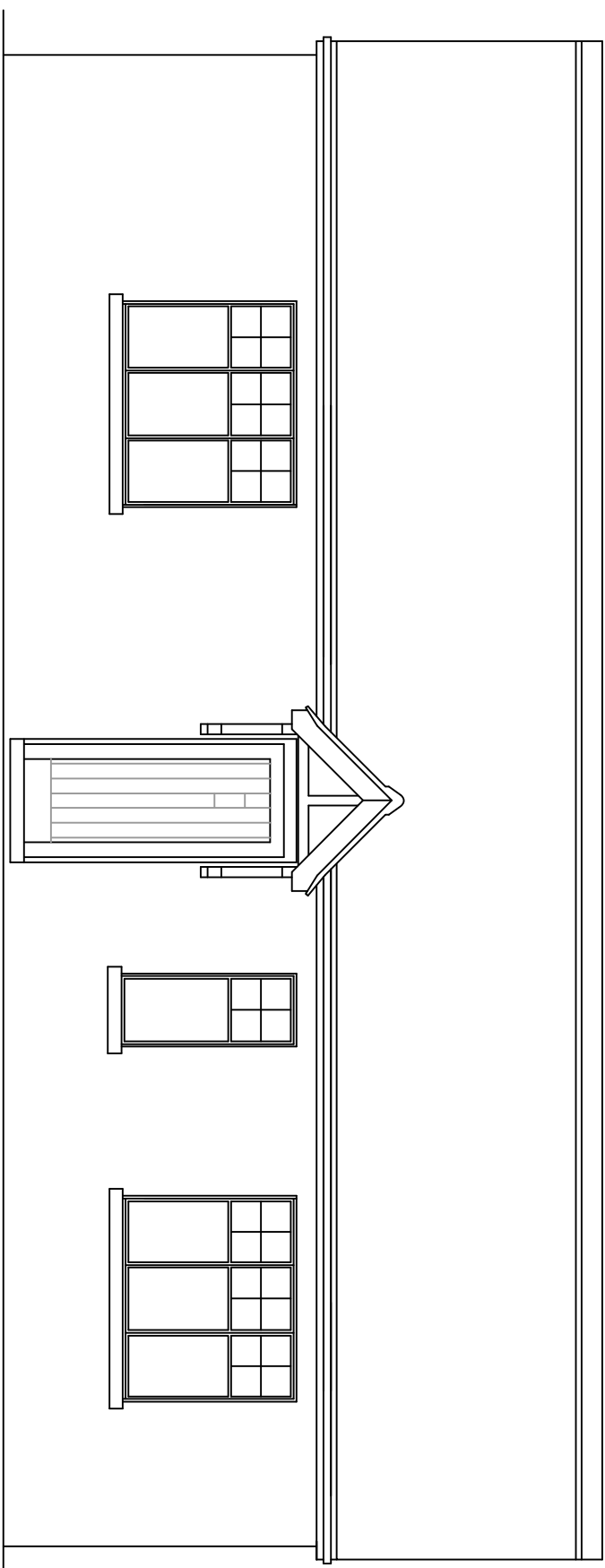
garden

existing 600mm
wall repaired

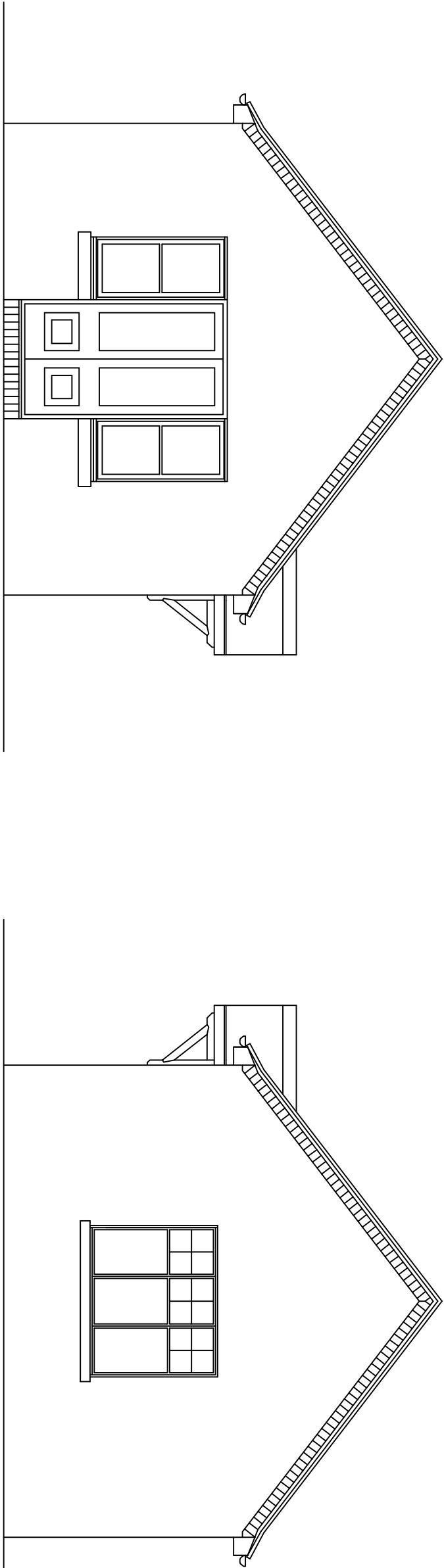
WESTBOURNE
CLOSE

new 1.8m fence,
lowering to 600mm
for last 2m by
road

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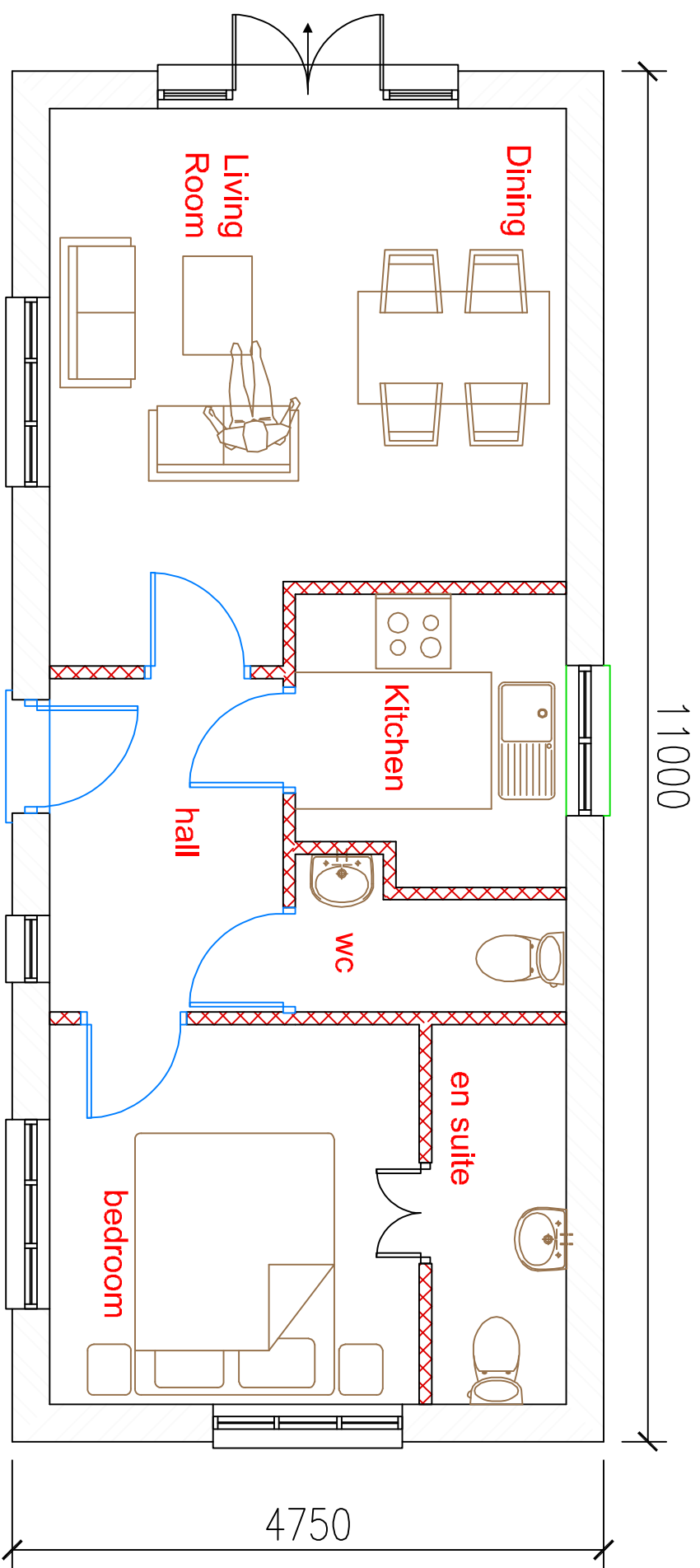


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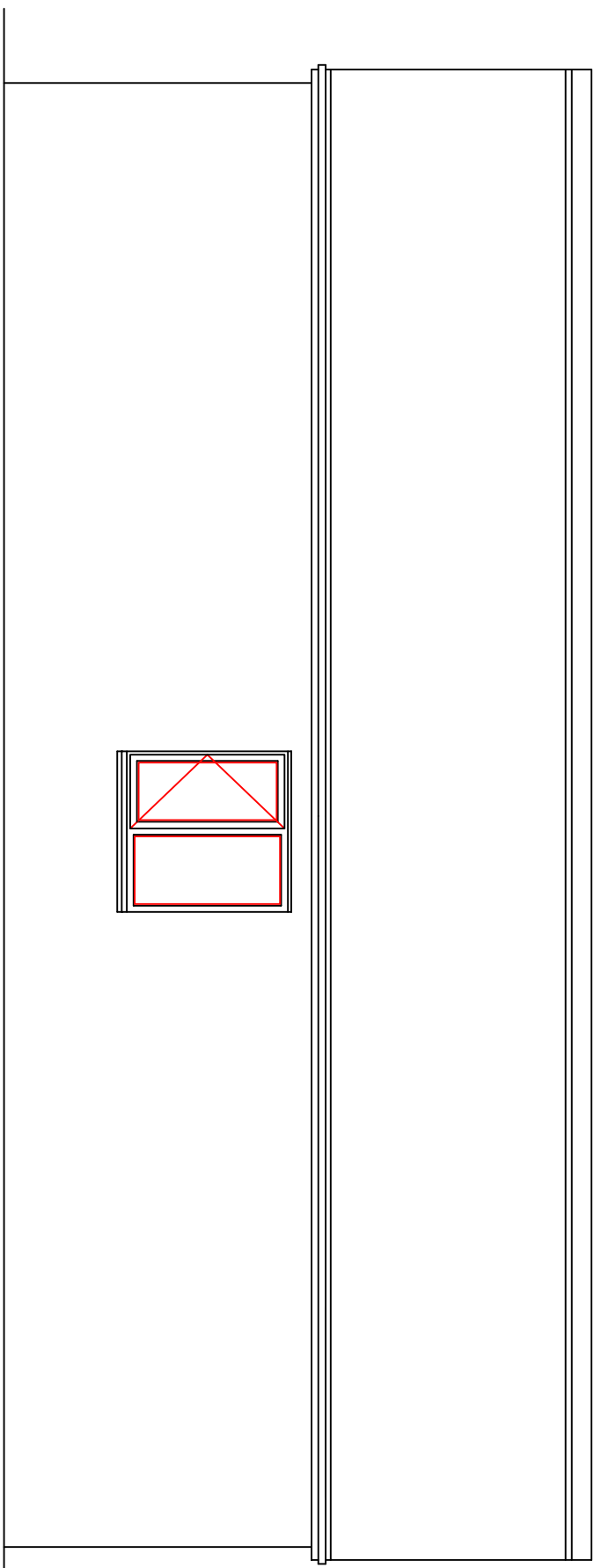


SOUTH

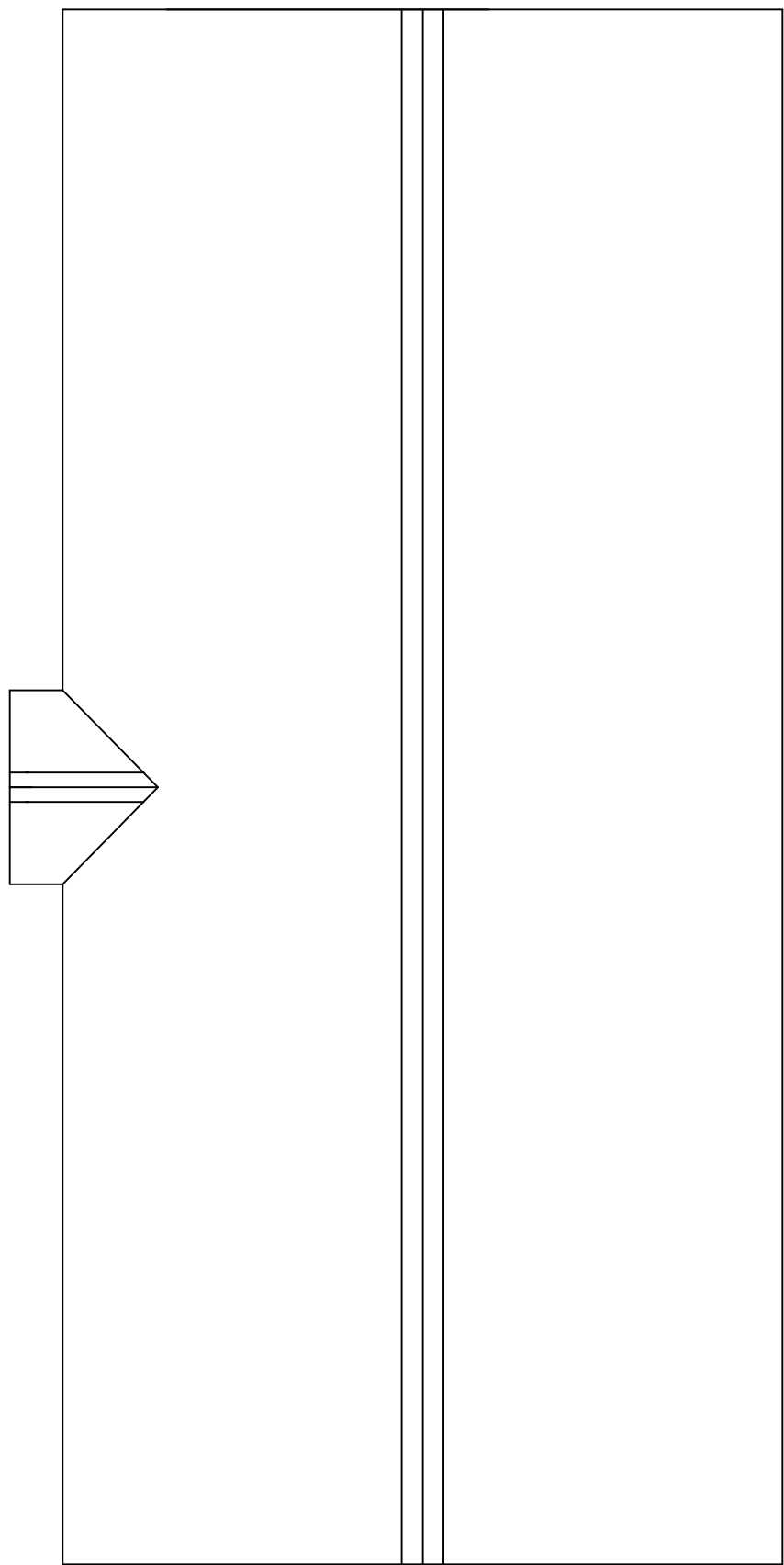
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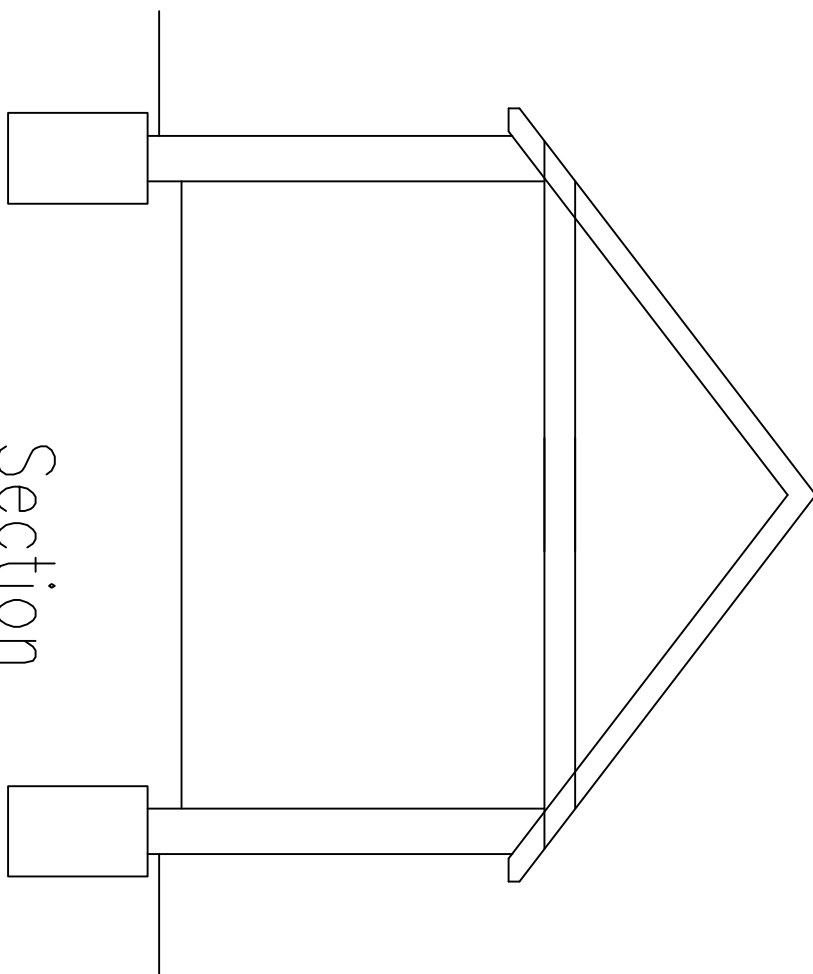
GROUND FLOOR



REAR



Roof



Section

No.	Revision/Issue	Date	

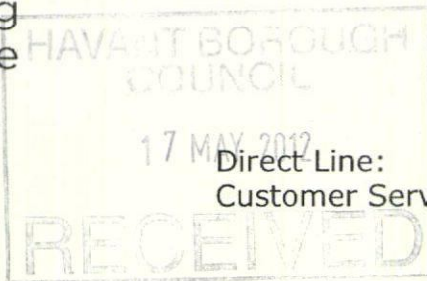
Firm Name and Address
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T: 01243 822113
E: steve@juppinnsolutions.co.uk

Project Name and Address
Floor Plan & Elevations
Detached Bungalow
Land at Westbourne Close
EMSWORTH

Project	OTH/1/13	Sheet	3A
Date	20.05.2013		
Scale	1:50 @ A1		



The Planning
Inspectorate



Quality Assurance Unit
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Direct Line: 0117 372 8252
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Miss Karen Wooden
Havant Borough Council
Business Development & Support
Team
Civic Centre
Havant
Hampshire
PO9 2AX

Your Ref: APP/11/01179
Our Ref: APP/X1735/A/11/2166421/NWF
Date: 16 May 2012

Dear Miss Wooden

Town and Country Planning Act 1990
Appeal by Mr B Long
Site at Land Adjacent To 8 Westbourne Avenue, Emsworth, PO10 7QY

I enclose a copy of our Inspector's decision on the above appeal.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at www.planningportal.gov.uk/planning/appeals/planninginspectorate/feedback. This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

Yours sincerely

Christopher Salmon

COVERDL1





Appeal Decision

Site visit made on 5 April 2012

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 May 2012

Appeal Ref: APP/X1735/A/11/2166421

**Land to the east of 8 Westbourne Avenue, Emsworth, Hampshire
PO10 7QY**

- 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 B Long against the decision of Havant Borough Council.
 - The application Ref APP/11/01179, dated 26 June 2011, was refused by notice dated 27 October 2011.
 - The development proposed is the erection of 1 no. three bedroom house with access from Westbourne Close.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the determination of the application by the Council and the submission of the appeal the National Planning Policy Framework (NPPF) has been published and is a material consideration upon which the parties have been able to comment.
3. The address stated on the application form has been adopted for reasons of clarity and a unilateral undertaking has been submitted by the appellant.

Main Issues

4. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the surrounding area and (b) transport infrastructure.

Reasons

Character and Appearance

5. The appeal site is situated within a predominantly residential area at the junction of Westbourne Avenue and Westbourne Close. The properties within the area are generally detached houses and bungalows sited within wide plots and are set back from the road to the rear of landscaped front gardens. Where dwellings are situated on corner plots, they are generally set back from the footway to the rear of gardens and the massing of the flank wall is broken-up by openings. By reason of the type, siting and design of the dwellings, the
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surrounding area possesses a predominantly spacious character and appearance.

6. Based on the available evidence and the site visit, it appears that the site is neither previously developed land, as defined in the NPPF, nor does it currently form part of a private residential garden. Instead, the site is vacant land within the urban area and, in principle, the erection of the proposed dwelling would be an appropriate use of the site, particularly because of the reasonable access to local facilities within the wider area. These matters should be given significant weight in favour of the appeal scheme.
7. The Council refer to Policy CS16 of the Havant Borough Core Strategy (CS) which requires development to be designed to a high standard, including using the characteristics of the locality to help inform the design of new development. The Core Strategy has recently been adopted and this policy is consistent with the NPPF which attaches great importance to the design of the built environment with good design being a key aspect of sustainable development. Detailed guidance to implement CS Policy CS16 is contained in the Council's Supplementary Planning Document: *Havant Borough Council Design Guide* (SPD).
8. When viewed from Westbourne Avenue, the proposed 2-storey dwelling would fit well into the streetscene, particularly the continuity of the properties being set back from the road to the rear of a front garden. However, because of its width, the proposed dwelling would be sited close to its side boundaries and would not reflect the spacious layout and character of properties within the surrounding area. By reason of siting and size, the proposed dwelling would appear a cramped form of development when viewed from the junction.
9. This material harm to the character and appearance of the surrounding area would be accentuated by the proximity of the side elevation to Westbourne Close. When viewed from this road the height and massing of the proposed dwelling would be a dominant and incongruous feature within the streetscene and would not provide an effective transition between the adjoining houses and bungalows. This adverse harm would be accentuated by the lack of a side garden and only a single opening breaking-up the massing of the flank wall. The landscaping suggested by the appellant would not adequately mitigate the adverse harm.
10. On balance, it is judged that those matters in favour of the appeal scheme are demonstrably outweighed by the adverse impacts associated with the design of the proposed dwelling and the harm which would be caused to the character and appearance of the surrounding area. Accordingly, it is concluded that the proposed development would materially harm the character and appearance of the surrounding area and, as such, the proposed development would conflict with the high quality design requirements of CS Policy 16, the SPD and the NPPF.

Transport Infrastructure

11. CS Policy DM12 requires developments to mitigate their travel impact and CS Policy CS21 contains a requirement for contributions to be made towards infrastructure provision, including for transport. The Council has identified the method of how a contribution towards transport improvements is calculated

and the schemes within the local area which would be related to the proposed development. Accordingly, the requirement for the contribution is judged to meet the statutory requirements of Article 122 of the *Community Infrastructure Levy Regulations 2010* and the tests in the NPPF.

12. However, although a signed unilateral obligation has been submitted it is undated and it cannot be taken into account because of the uncertainty whether the owner is bound by its provisions. Accordingly, it is concluded that the submitted planning obligation would not secure the payment of the contribution towards the provision of transport infrastructure and satisfy the requirements of CS Policies DM12 and CS21.

Other Matters

13. The proposed development seeks to address the objections by the Council to a previous scheme for the erection of a chalet bungalow on the site. Although the differences between these schemes have been noted, this appeal has been determined on its own merits.
14. The outlook from adjoining properties would change but, by reason of the separation distances between the existing and proposed dwellings there would be no material harm to the occupiers of the neighbouring properties. For similar reasons, no adverse harm would be caused to matters such as loss of daylight or sunlight. Potential overlooking from the proposed bathroom window within the side elevation facing towards 8 Westbourne Avenue could be controlled by a suitable condition.
15. There is no objection from the Council to the effect of the proposed development on the tree on the boundary of the site and there are no reasons to disagree with the Council on this matter. Although the proposed access to the parking area is close to an existing private drive, based on the observations made during the site visit, the alignment of the road and speed of traffic, there would not be an unacceptable danger to the safety of other highway users.
16. Matters such as the location of the boundary between the site and No. 8, the stationing of a caravan and the potential existence of a foul water sewer do not alter the conclusions reached on the main issues.
17. None of these other matters, whether individually or cumulatively, outweigh the material harm which has been identified. Accordingly, for the reasons given and taking into account all other matters including the presumption in favour of sustainable development contained in the NPPF, it is concluded that this appeal should fail.

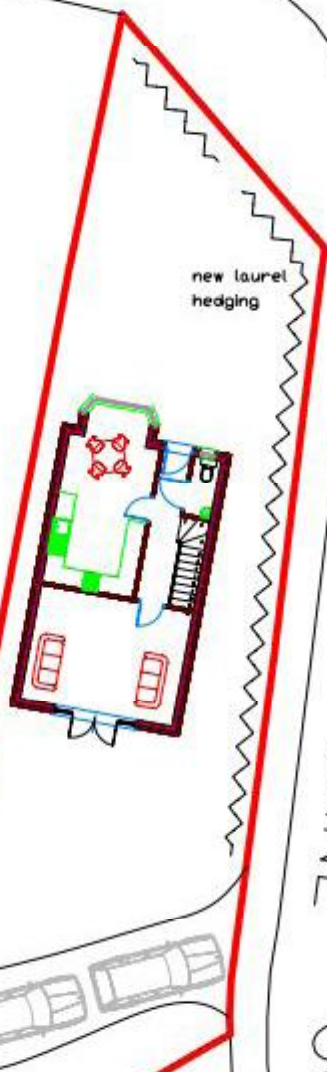
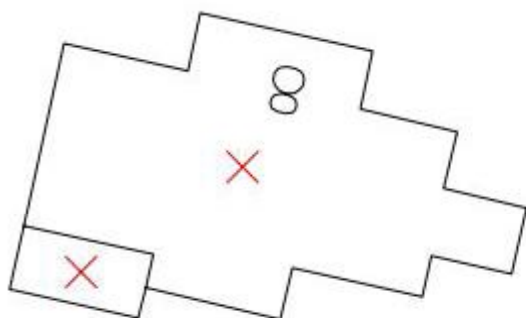
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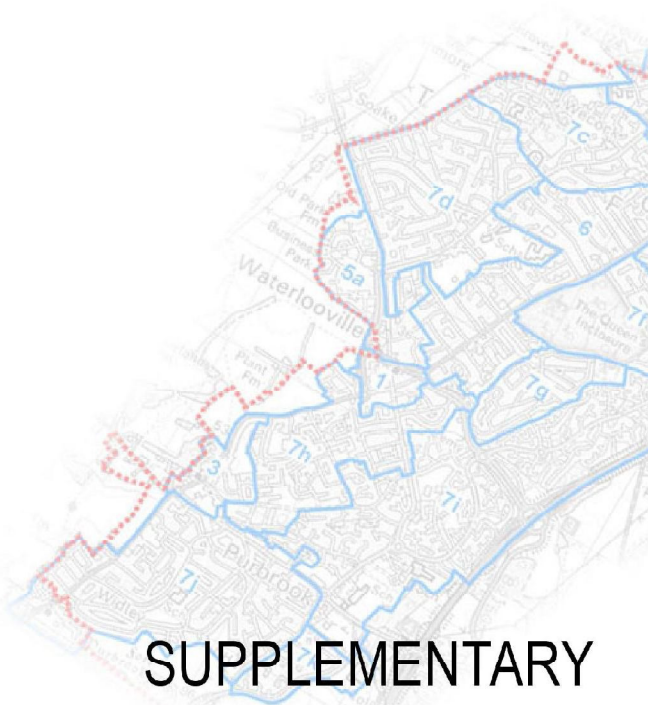


WESTBOURNE CLOSE

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Havant Borough Council

Borough Design Guide



SUPPLEMENTARY
PLANNING
DOCUMENT

OCTOBER 2011



Cleaner, Safer,
More Prosperous



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Executive Summary

The aim of the Havant Borough Council Design Guide Supplementary Planning Document (SPD) is to provide detailed information that supplements Policy CS16 of the Havant Borough Core Strategy. To raise the standard of design across the Borough and set out what the Council expects developers to deliver in terms of the design of new developments and how the distinctive character and qualities of the Borough should be respectfully improved and enhanced through development.

The SPD has been prepared for use by both planning and design professionals and the public.

The SPD forms part of Havant Borough Council's Local Development Framework (LDF) and is a material planning consideration in the determination of planning applications in the Borough.

Public Consultation

Havant Borough Council consider it vital that local people are involved in the plan making process and have an opportunity to make their views known. A draft version of this SPD was issued for consultation from 27 May until 8 July 2011. The comments received were assessed and where appropriate the document was amended to make the final Havant Borough Design Guide SPD a more accurate and useful document. The Council would therefore like to thank the community for their vital contribution.

The councils response to the public consultation and the adoption documentation is available to view at www.havant.gov.uk, at the Public Service Plaza and libraries throughout the Borough.

If you have any queries please contact the Planning Policy and Urban Design Team at policy.design@havant.gov.uk or telephone 023 92446539.

This document is available in many other formats such as Braille, large print and on CD. Other languages are also available. To request any of these formats please contact 023 9244 6609.

Foreword from Partnership for Urban South Hampshire (PUSH)

PUSH and Good Design

PUSH is a partnership of the unitary authorities of Portsmouth and Southampton; Hampshire County Council and district authorities of Eastleigh, East Hampshire, Fareham, Gosport, Havant, New Forest, Test Valley and Winchester. PUSH is dedicated to delivering sustainable, economic-led growth and regeneration to create a more prosperous, attractive and sustainable South Hampshire. PUSH recognises that good design helps to contribute toward this goal.

PUSH Quality Places

PUSH considers it crucial that new developments deliver quality places to live work and enjoy. Local authorities have been working together to deliver this agenda, this includes sharing good practice, the delivery of a Design Charter and a joint framework for a design SPD. The emerging SPD framework has been used to inform the production of the Havant Borough Design Guide SPD.

PUSH Quality Places Design Charter

Each local authority in PUSH has signed a Design Charter, which commits the authorities to creating quality places through the following:

- ▶ Leadership and management structures to ensure that creating quality places is a high priority
- ▶ A design-led multi-disciplinary culture which plans, designs and manages new and existing places in an integrated way to achieve high quality
- ▶ Place making and quality design policies which underpin Local Development Plan Documents, including detailed guidance on creating high quality development where necessary
- ▶ Decision making which considers the wider value of creating quality places as a prime consideration rather than cost alone
- ▶ Opportunities to improve the quality and management of existing places
- ▶ Appropriate place awareness and design training for leaders, Councillors and Officers
- ▶ Community involvement in the planning, design and management of places



Further Information

For more information on PUSH and PUSH Quality Places please refer to <http://www.push.gov.uk/index> or email info@push.gov.uk.

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Appendices:

Appendix 1: Havant Borough Urban Context and Character Appraisals

1. Waterloooville
2. Havant and 3. Leigh Park
4. Emsworth
5. Hayling Island

Appendix 2: Design Dictionary and Useful References

This SPD includes illustrations were produced by Reformat for PUSH.

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1 Introduction: What is Good Design and why is it important to Havant Borough?

- 1.01 Urban design is the interaction of buildings, the space between them and people. This leads to place-making. Well designed places feel safe, comfortable, are well-used and well-loved, are attractive and have their own distinct identity. These are the types of places that we would all like to live in and call home. Well designed places attract people and investment and create social, economic and environmental benefits that we all gain from.
- 1.02 Havant Borough Council recognises that good design is important to the future development of the Borough and its community. It is a central part of the Core Strategy's vision for the future, to create 'a cleaner, safer and more prosperous place...it will be widely recognised for its sustainable, innovative and high quality design developments and the stewardship of its natural and built environment.'



Images 1-3: Illustrating the rich and diverse character of the Borough. Clockwise from top left: High Street, Emsworth; St John the Baptist Church, Purbrook and The Parchment Works, Havant

The Purpose and Status of the SPD

Purpose of this Document

- 1.03 Havant Borough Design Guide Supplementary Planning Document (SPD) is produced as part of the Council's Local Development Framework (LDF), which is the planning policy framework for new development in the Borough.
- 1.04 The SPD aims to raise the quality of design across the Borough by providing detailed guidance that supplements and helps to implement Core Strategy Policy CS16 High Quality Design. It applies to all new development, not just residential development. The SPD signposts and summarises the wealth of information that already exists about urban design rather than repeating it. It is critical that developers take full account of both the general and local guidance at the initial stages of the design process.
- 1.05 The SPD sets out the Council's design requirements for new development in the Borough. It identifies the elements of local character that are important and areas to target for improvement. This information will help guide new development to take place in a way that protects local character and maintains the positive features that contribute to a particular area's local distinctiveness. Applied properly, the guidance will encourage rather than inhibit innovative design by helping to identify the elements that any design approach should respect.

Who is the SPD for?

- 1.06 The SPD is intended for use by anyone proposing a development, however small, including developers, architects; and also by Councillors, interest groups and members of the general public who would like more information on the meaning of good design and whether a particular development is appropriate for their local area.
- 1.07 Collaboration with stakeholders and the local community is crucial in order that the information contained in the SPD reflects local needs and concerns. The SPD reflects the intentions of the emerging Localism Bill and places an emphasis on community involvement in the plan making and decision making process. A formal six week period of public consultation took place in May and June 2011. This provided an opportunity for local people to influence the content of the SPD and to effectively have their say. The Council recognise the important contribution that the community can make to the quality of new development and encourage developers to engage with the local community as early as possible in the design process. Section 5: The Planning Application Process provides a brief summary of the requirements for community engagement in line with the Council's Statement of Community Involvement (SCI). This makes it clear that developers are encouraged to go beyond the minimum requirement and recognises the valuable contribution of local design review panels, such as the Emsworth Design Panel. The information set out in Appendix 1: Havant Borough Urban Context and Character Appraisal provides a basis for the development of neighbourhood plans.

Status of the Document

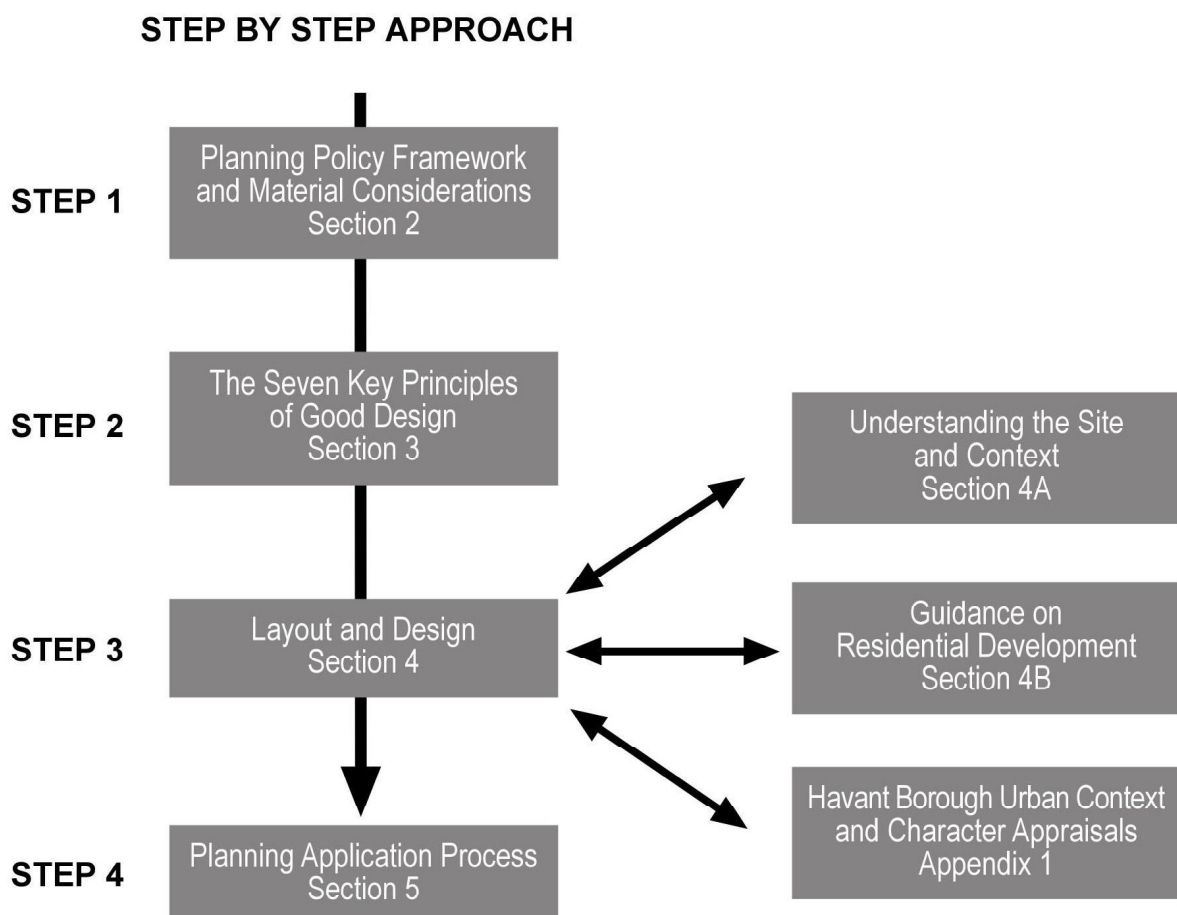
- 1.08 The SPD is a material consideration, which is taken into account by Havant Borough Council in determination of planning applications and appeals.

How the SPD Should be Used and the Structure of the Document

The SPD as a Design Tool

- 1.09 The SPD should be used as a design tool and manual for applicants to refer to throughout the design process but particularly at the inception stage. The design and development process has a number of stages and an overview of these is shown in Figure 1.0.
- 1.10 This SPD aims to provide people involved in development with an understanding of the relevant planning considerations, the Council's design expectations and how to assess the site and local context. The Borough is defined by particular characteristics that vary from area to area. In some places the urban context needs to be respected and enhanced and in some places the character of a local area needs to be better developed. Applicants are expected to respond to the characteristics of their local area and in particular the design strengths, weakness and opportunities. The applicant is expected to discuss the emerging design at pre-application stage with the Council and when appropriate with the public. Information on the pre-application and application process including community and Council engagement and design review is set out in Section 5 of the SPD.

Figure 1.0: How to use the SPD in the design of new developments



2 Planning Policy Framework and Material Considerations

- 2.01 Any application for new development in the Borough needs to consider relevant local and national design policies and guidance, as part of the planning application process. A summary of the most relevant policies and documents follows. Applicants should note that this list is not exhaustive and it remains the responsibility of the individual to be satisfied that all design policies and guidance relevant to their application have been taken into account.

Local Design Policies: Havant Borough Council Documents

Havant Borough Core Strategy

- 2.02 This SPD supplements and helps implement Policy CS16 High Quality Design of the Core Strategy. CS16 should be read in conjunction with all the other policies in the Core Strategy.

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.

Other Havant Borough Council documents

Where else to look:



- [Havant Borough Council's Statement of Community Involvement \(SCI\) \(2006\)](#)
- [Havant Borough Townscape, Landscape and Seascape Character Assessment \(2007\)](#)
- [Public Realm Design Framework for Havant Borough Council \(2005\)](#)
- [Havant Town Centre Urban Design Framework \(2006\)](#)
- [Waterlooville Town Centre Urban Design Framework \(2004\)](#)
- [Residential Parking and Cycle Provision SPD \(2010\)](#)
- [Havant Public Service Village SPD \(2010\)](#)
- [Havant Borough Council Conservation Area documents](#)
- [Havant Open Spaces Plan and PPG17 Assessment \(2006\)](#)
- [Havant Borough Landscape Assessment Sensitivity Report \(2007\)](#)

The Havant Borough Council Website:

- [The Planning Application Process](#)

Other Local Material Considerations

Where else to look:



Hampshire County Council Documents:

- [The Hampshire Local Transport Plan 2011-2031](#)
- [Hampshire Integrated Character Assessment](#)
- [Hampshire's Companion Document to the Manual for Streets \(2010\)](#)
-
- [Hampshire Biodiversity Action Plan](#)
- [The Hampshire Landscape Checklist for New Development](#)

Area of Outstanding Natural Beauty (AONB) Documents:

- [Chichester Harbour Conservancy Management Plan 2009-14](#)
- [Chichester Harbour Conservancy Design Guidance for New Dwellings and Extensions](#)
- [Chichester Harbour AONB Landscape Character Assessment](#)
- A map of the AONB boundary can be found on the Council's website or at the Chichester Harbour Conservancy website www.conservancy.co.uk
- More information on the AONB can be found in Section 4B Layout and Design: Guidance on Residential Developments

Village Design Statements:

- [Emsworth Design Statement](#)
- [Northney and Tye Village Design Statement](#)

National Planning Policy Statements and Planning Circulars

Where else to look:



- Planning Policy Statement (PPS)1: Delivering Sustainable Development
- Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1
- PPS3: Housing
- PPS4: Planning for Sustainable Economic Growth
- PPS5: Planning for the Historic Environment
- [Planning Circular 01/06, which sets the requirement for Design and Access Statements](#)

These and all other Planning Policy Statements can be viewed on the [Department of Communities and Local Government Website](#)

3 The Seven Key Principles of Good Design

What does Havant Borough Council mean by Good Design?

- 3.01 When considering the meaning of good design National Planning Policy Statement PPS1 refers local authorities to the document 'By Design - Urban Design in the Planning System'. By Design identifies seven key principles that are the essential to ensuring developments are well designed.
- 3.02 Havant Borough Council endorses these seven key principles and has based Core Strategy Policy CS16 High Quality Design on these. This SPD develops this in more detail in order that the Council's design expectations and requirements are clear.

The Seven Key Principles of Good Design

a) **Distinctive Character**

This helps identify a place. Character is influenced by the activity that predominates in that place and also by its natural and built features, its context and surroundings.

b) **Ease of Movement**

People should have convenient and equal access to a new place; they should be able to move through it with ease and the new place should be connected to neighbouring areas to help it integrate.

c) **Good Legibility**

The layout of a new place should make it easy to find your way around by having logical, safe and convenient routes and visual markers such as nodes, views and landmarks.

d) **Good Continuity and Enclosure**

Buildings and landscape features, such as trees, help to frame streets and spaces. This relationship influences the character of a place. New places should be designed to have a good degree of continuity in the built form, appearance and/or development pattern and an appropriate level of enclosure.

e) **Good Quality Public Realm**

Just as much care should be taken in the design and construction of public spaces between buildings and open spaces, as with the design of buildings themselves. The public realm should function well and be made from good quality robust materials that are well maintained and managed.

f) **Diversity and Detailing¹**

The design of new places should have variety and attention to detail that adds to the interest and distinctiveness of the place.

g) **Adaptability and Sustainability²**

New places should be designed so they can adapt over time to changing circumstances, like ageing residents and climate change and are built sustainably through construction techniques and the inclusion of energy and water efficiency measures.

¹[1] Detailing – HBC considers detailing an important principle of good design. Detailing helps to create interest, variety and identity of new developments. Therefore this title has been added to the By Design heading Diversity.

² Sustainability – HBC considers sustainability to be an integral part of adaptability of new development. This title has therefore been added to the By Design heading Adaptability.

Understanding the Seven Key Principles of Good Design

- 3.03 The precise meaning and application of these principles should be familiar to all good architects, designers and planners. However, for those non-professionals it is useful to expand on the meaning and to put this into a Havant Borough context:

a) Distinctive Character

- 3.04 Character helps to define a place and helps distinguish one place from another place. It is much more than building styles and appearance. The character of an area is a combination of the function and level of activity of the place, its existing structures and features, including open space and trees, the surrounding context of the site and how these all relate to one another. The best way for new developments to respond to character, integrate and complement the existing area is to thoroughly understand the site and its context.
- 3.05 In some cases the character of the site and surrounding area will be easily recognisable. In these instances new development should look first to the immediate surroundings and complement and where possible enhance the character of the area. However, in some parts of the Borough the character is more difficult to define and to distinguish. In these instances, new development should identify the most positive elements of the built and natural environment and reflect these and therefore enhance and help to define the character. Appendix 1 looks at the character of the Borough in further detail and aims to identify key characteristics, strengths, weaknesses and opportunities of our local areas in an effort to improve character across the Borough.

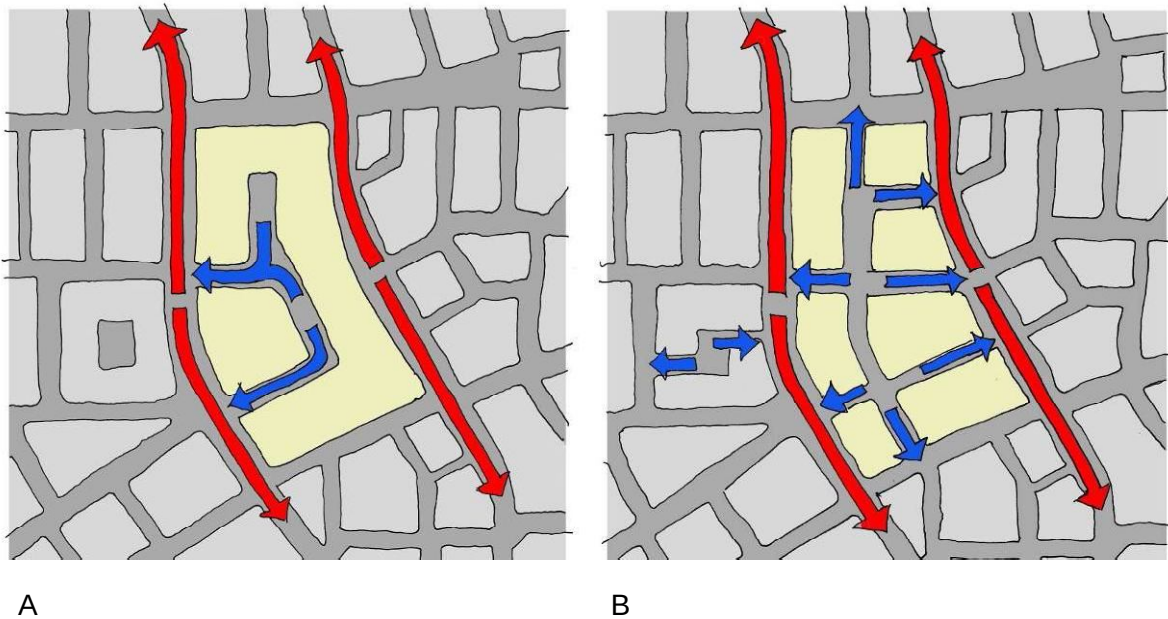
b) Ease of Movement

- 3.06 New places should be easy to get to and well connected with good access to jobs and services. The access needs of all users should be considered, no matter what their ability. These places should be well integrated, physically and visually, with their surroundings. In order to encourage people to walk and cycle it is important that streets are well overlooked and that the car does not dominate.

Routes, Connections and Permeability

- 3.07 The design and layout of new developments should encourage people to use more sustainable means of travel such as by foot, cycle, or public transport and move away from the car. To encourage this, new residential developments should have good access by foot or cycle to public transport, facilities and jobs; and be permeable, with clear direct, purposeful routes within and connecting out to the wider area

Figure 3.0: Poorly connected (A) and well connected (B) new street layouts



- 3.08 In line with best practice, new developments should ideally be located within 400-800 metres or less than a 20 minute walk of public transport and other local services³. The Council acknowledges that there may be exceptional cases where this ambition cannot be met and the applicant will be expected to provide a reasonable justification for exceeding this target.
- 3.09 The more people who use a street and the more overlooked it is by well used buildings, the safer and more welcoming it feels. This activity and overlooking also reduces opportunities for criminal and anti-social activity. Therefore new developments should be designed so that routes and streets are overlooked and addressed by buildings and frequented by a variety of users.

Integration

- 3.10 Wherever possible, the layout of the new scheme should encourage connections that complement existing routes and access arrangements. These connections help integrate the scheme in the local environment by following natural desire lines across the site to provide a continuous walking and cycling environment.

Figure 3.1: An example of where the natural desire lines are blocked and where these are facilitated through the layout of a new development

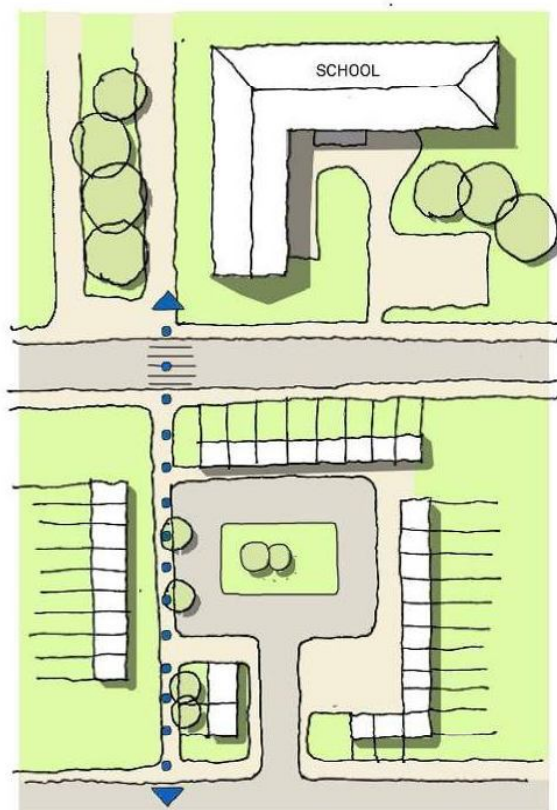
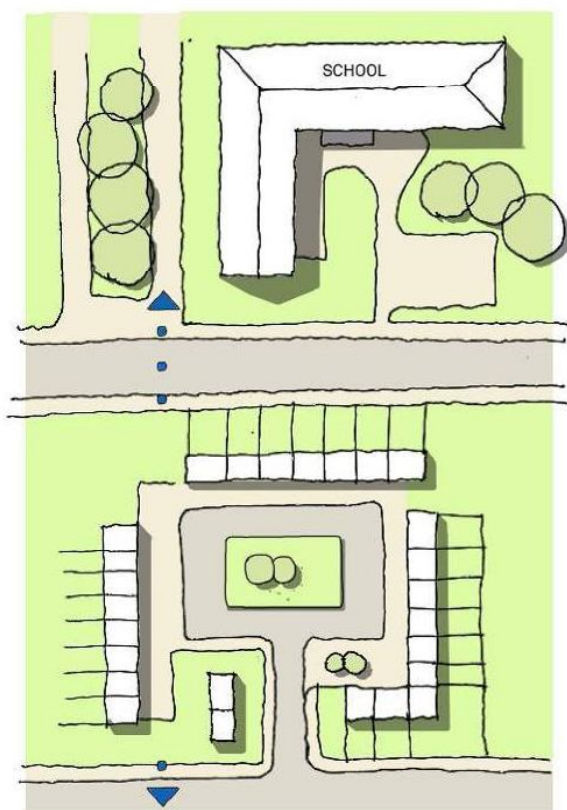
³ The accessibility distances from services are taken from best practice. PPS1 supplement on eco-homes, advises that homes should be within ten minutes walk of frequent public transport and neighbourhood services. It also states that there should be a maximum walking distance of 800 metres from homes to the nearest school for children aged under 11, except where this is not a viable option due to natural water features. 800 metres equates to an approximate 20 minutes walk.



Potential connection closed off



Pedestrian/Cycle connection encouraged



3.11 The Council is required to plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. As well as the obvious improvements to biodiversity and the natural landscape, these improvements can help encourage connections between places and integration. At a local level this is taken forward through Core Strategy Policy CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough and Policy CS13 Green Infrastructure, whose definition includes a range of green and blue assets such as parks and gardens, green spaces, green corridors and allotments. New development should show how they positively respond to these policies.

3.12 The Council discourage the creation of gated communities, which restrict pedestrian access. The authority accepts that site restrictions may limit the accessibility of developments and in many cases the creation of cul-de-sacs cannot be avoided, however the Council discourage the creation of gated communities, which restrict pedestrian access physically through private locks and gates or perceptually through high walls and railings.

c) Good Legibility

3.13 A well designed scheme should be easy to find your way around and through. The layout of a new place should provide a clear network of routes that are distinctive enough that they can be easily recalled. Legibility requires a clear network hierarchy of routes and well defined streets to help distinguish paths on a journey with nodes and gateways to act as visual markers. Landmarks and views are more significant features to help orientation and edges help to define the boundary of a place. The legibility of an area can also be improved through the detailing and use of materials in new developments.

Figure 3.2: The elements of a legible development



Routes and Streets

- 3.14 Different streets and routes play different roles, for example the main street or high street of a town or village has a very different feel and appearance to a residential street in a suburb. The layout and design of new developments should be designed so there is a discernable route hierarchy. New developments should have well defined streets and there should be a clear distinction between the public and private realm. The use of perimeter block layout can help make this distinction.

Nodes and Gateways

- 3.15 Nodes are focal places, such as local centres, town parks, key junctions and squares. They are important because they help people identify a central point or focus to a place and assist orientation. The importance of a node can be emphasised through different rhythms in the urban structure such as building heights, the level of activity or range of uses. The architectural approach could also help to differentiate the node.
- 3.16 Gateways play an important role as they are visual markers, which introduce developments. Consequently an applicant should pay particular attention to the design of these areas so they are representative of the rest of the scheme, in terms of appearance and mix of uses.

Landmarks and Views

- 3.17 Landmarks are distinctive buildings, spaces or features such as significant trees or sculptures. When placed strategically along a route and street, these help make a journey memorable, which aids orientation. A landmark need not only be a distinctive building in terms of its architectural style, the building could be higher than its neighbours, allowing it to stand out from its surroundings. Corner buildings are of particular importance as landmarks, because of their unique position on more than one street. Landmarks can be considered as site assets, which should be utilised in the layout of new developments.

- 3.18 Views and vistas aligned with key buildings or landscape features are particularly useful to the visitor. The most memorable routes are often those with a varied sequence of long and short views, which terminate with a landmark. Views, particularly those that are well known to local people, should be considered an asset and should be maximised through the design and layout of a new place. New developments should aim to utilise existing landmarks and views wherever possible in their design. Section 4A Layout and Design: Understanding the Site and Context provides more detail on site assets and constraints.

Edges

- 3.19 Attention should also be given to the treatment of the edge of the development. Edges include the urban edge to the countryside, an edge to a major road and an edge to an open space. New development should make the most of opportunities to maximise views to the countryside and open spaces, which are considered assets. However, in order to avoid a proliferation of exposed rear fences and walls to the street and public realm, it is important that new developments address the street and public open spaces in the first instance.

d) Good Continuity and Enclosure

- 3.20 Successful places have well framed streets and spaces. Streets and spaces can be enclosed by buildings or by landscape features, such as trees. The level of enclosure and continuity helps form the character of a place. Some more historic parts of the Borough have narrow, enclosed streets with continuous frontages, where historically the function was to protect the pedestrian from the elements; the streets could be narrow because there was no car to accommodate or concerns about privacy. This might be appropriate, as part of the intrinsic character of a historic town or village centre, however the same approach is not necessarily suitable for a suburban residential scheme. An analysis of the site and context is the best way to understand the degree of continuity and enclosure that relates to local buildings, street and spaces.

e) Good Quality Public Realm

- 3.21 The public realm includes squares, streets, open spaces and car parking courts. All public space should have a function, should be designed to be robust and attractive and should be well overlooked so these places feel comfortable and safe, encouraging people to use them. The use of well made and appropriate materials and landscape can also help improve the quality and appearance of an area.

Prioritising Active Street Frontage

- 3.22 New developments should have their primary access from the street rather than the rear. New developments should be designed so that the public realm is overlooked by windows, maximising opportunities for ground floor windows wherever possible. The front door of new developments should address the main street. The windows of ground floor habitable residential rooms should overlook the street. These measures enable people to keep an eye on public space and make them feel safer. This is of particular importance in rear car parking courts and pedestrian and cycle only routes, which have reduced levels of activity and opportunities for natural surveillance. The design of new development should also avoid creating alcoves or corners that could attract anti-social behaviour.

Figure 3.3: Routes and public spaces that are primarily used during the day benefit from passive surveillance from residential and non-residential buildings such as offices



Accommodating the Car and Avoiding Spaces Left Over After Planning (SLOAP)

- 3.23 It is important the public realm is enjoyable and attractive. The car and highway should not dominate and create an environment that is harsh and unwelcoming. Large areas of hard surfacing given over to car parking can create a bland, uninteresting and unattractive environment for users and for buildings that address the space.
- 3.24 In order to prevent this, the Council expects car parking spaces to be grouped in numbers no greater than five. Larger parking areas are expected to be broken up by at least two metre wide planting beds incorporating low-lying shrubs or trees with a vertical emphasis. Planting should be designed to soften the appearance of parking areas, without preventing reasonable surveillance.
- 3.25 The design of new development should avoid creating SLOAP, those wasteful spaces left over after planning, including excessive areas given over to turning and parking. Instead, these areas should be utilised, by forming larger private gardens or communal open space, for landscape and tree planting, boundary planting and climbers.

Landscape

- 3.26 Applicants for development should have particular regard to the following Core Strategy policies: CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough, CS12 Chichester Harbour Area of Outstanding Natural Beauty (AONB) and CS13 Green Infrastructure. New developments should aim to utilise existing landscape features wherever possible in the design of new developments. Section 4A Layout and Design: Understanding the Site and Context provides more detail on site assets and constraints.
- 3.27 The Council support and encourage any efforts to remove unnecessary or poorly designed street clutter from the public realm. In order to differentiate between the necessary and unnecessary features in the public realm, such as signs, bins, railings and signposts, a street

audit should be carried out. This should be done with the cooperation of relevant organisations such as Havant Borough Council, Hampshire County Council and service providers.

Public Art

- 3.28 The Council seeks a 1% contribution to public art on significant schemes, as defined in the SCI. Applicants for significant development should consider the role of public art at an early stage. Public art needs to be integrated into new development, rather than added on at a later stage. Applicants will need to engage with the Council to ascertain whether the proposal for art is in line with the Council's aspirations for the Borough. Ideally, public art should be developed with the involvement of the local community to ensure the art is locally owned and relevant.

Management and Maintenance

- 3.29 The quality of the public realm in new developments, no matter how well designed initially, must be sustained long after the last unit is sold or let. This requires good management and maintenance arrangements, which are often the responsibility of a number of bodies. In smaller schemes, these responsibilities are often handed over to the local authority. However in larger more complicated schemes, the number of organisations involved can often lead to conflict and mismanagement. Therefore, new developments should consider establishing a management and maintenance company (private or community led) as a way of ensuring that the responsibilities are managed in a coordinated way. Arrangements need to be in place in the event of the cessation of the company.

Security and Safety

- 3.30 The Council considers the Government's document Safer Places, the Planning System and Crime Prevention important guidance. It progresses the Secured By Design initiative and considers how the design can make places feel safe. Applicants should refer to this document at an early stage.

f) Diversity and Detailing

- 3.31 Our town and district centres tend to have a high degree of variety in terms of activities and the built form. This is part of their inherent character and appeal. The Council encourages the creation of diverse and visually rich new places.

Mix of Uses

- 3.32 Over the last century, there has been a decline in the number of people living in Havant Borough Town and District Centres. The result is that these areas often feel dead or uninviting at night. Therefore, the Council encourages mixed use development in these centres with residential above the ground floor. The entrances to residential developments either above or behind ground floor retail and commercial properties should address the main street or retail frontage. This encourages activity in our towns and district centres after 5pm.

Mix of Tenures

- 3.33 The Council has produced a Housing SPD that sets out more detail on the mix of types and tenures of homes that will be sought throughout the Borough and in our centres.

Materials and Detailing

- 3.34 It is also important that new developments make the most of opportunities to create visual attractiveness and diversity through detailing. The choice of materials should be informed by an analysis of the site and its context, this is particularly important in more sensitive areas of the Borough, such as conservation areas and Chichester Harbour AONB. Materials that are common in the Borough include brick; render, clay roof tiles, slate and in places flint.

g) Adaptability and Sustainability

- 3.35 New development needs to be flexible enough to respond to future changes in use, lifestyle and demography. This means designing for energy and resource efficiency; creating flexibility in the

use of property, public spaces and service infrastructure and introducing new approaches to transportation, traffic management and parking.

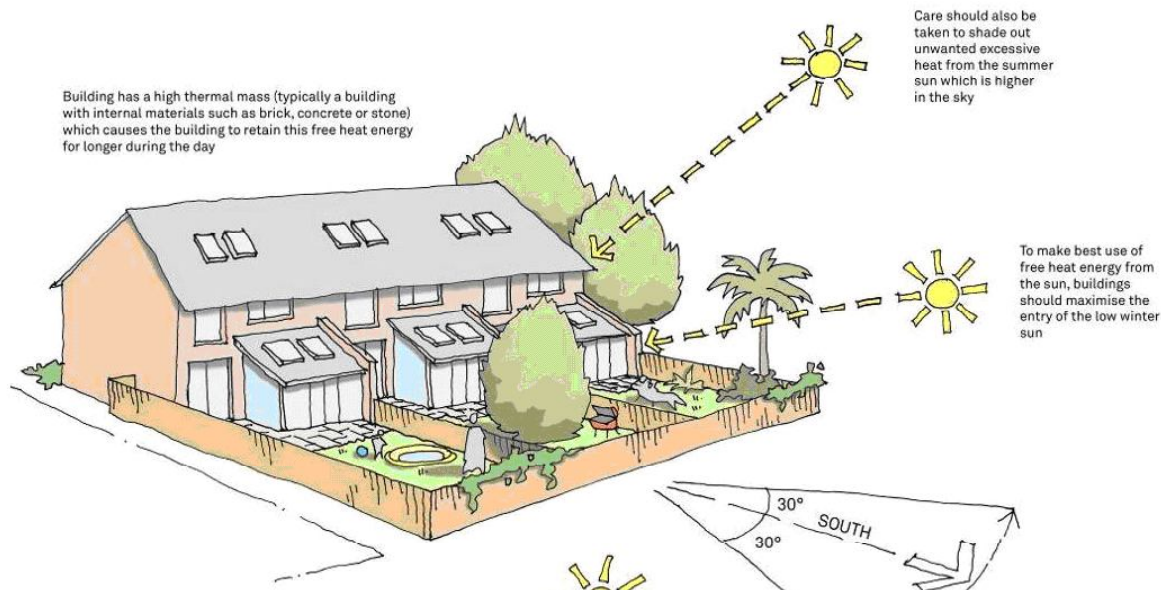
Adaptable Design

- 3.36 Buildings should be designed so they have longevity and can be adapted over time. In town, district and local centres it is preferable for new developments to have a minimum height of 3 metres from floor to ceiling and 3.5m on corners on ground floor spaces. These heights can be flexibly converted to accommodate retail and commercial units or residential use. The Council also encourages applicants to consider applying the Lifetime Homes Standards to residential developments.

Sustainable Design

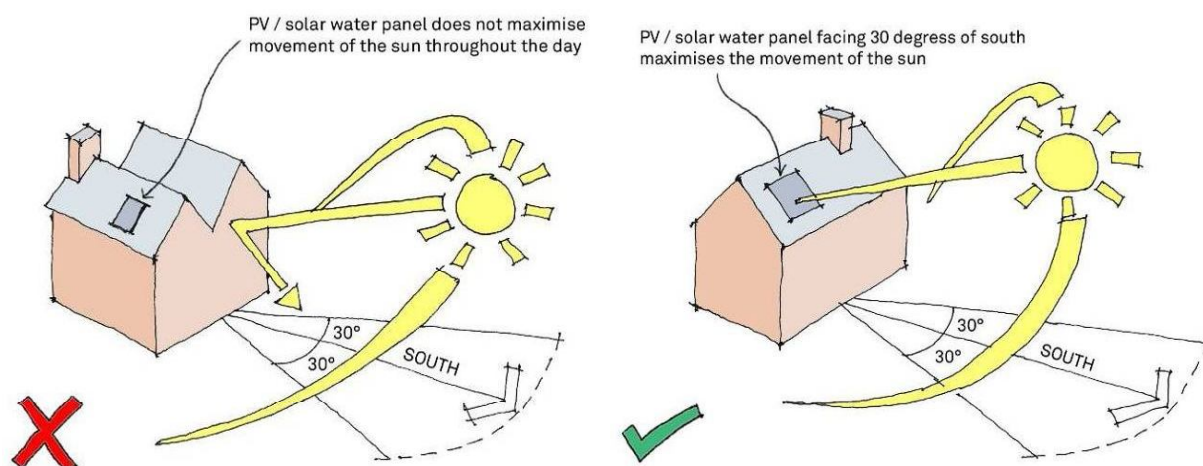
- 3.37 Applicants should refer to Building Regulations Standards and Core Strategy Policy CS14 Efficient Use of Resources, which requires Code for Sustainable Homes Level 3 and BREEAM 'very good' standards. The purpose of setting these standards is to reduce greenhouse gas emissions; to ensure building can adapt to climate change; and to reduce the impact on the environment overall. The Code for Sustainable Homes covers residential developments and measures the sustainability of the home against a number of categories. These include energy/CO₂, water, materials, surface water run-off, waste, pollution, health and wellbeing, and management and ecology. BREEAM covers non-domestic buildings and assesses sustainability of buildings under the following headings: Energy, transport, land use and ecology and health and wellbeing.
- 3.38 In line with this and Core Strategy Policy CS15 Flooding and Erosion Risk, all new development in the Borough is required to ensure that there is no net increase in surface water run off. Therefore it is important that opportunities to control and reduce rainfall runoff into drains by using permeable surfaces, soakaways and rain gardens (a small planted depression designed to manage rainwater) are considered in the design of new developments from the outset. In line with permitted development rights, planning permission is not required for new or replacement driveways of any size providing permeable (or porous) surfacing, such as gravel, permeable concrete block paving or porous asphalt is used, or if the rainwater is directed to a lawn or border to drain naturally. Priority should also be given to incorporating Sustainable Drainage Systems (SuDS) to manage surface water drainage, unless it is proven that SuDS are not appropriate. Where SuDS are provided arrangements must be put in place for their whole life management and maintenance.
- 3.39 The Council also actively seek to achieve the Government development targets on previously developed land and to bring vacant and underused land and buildings back into beneficial use, prioritising urban areas through the Core Strategy.
- 3.40 A simple way to minimise energy consumption is through the layout and orientation of new development to take advantage of the sun's energy. An analysis of the site context at an early stage can help decide where the site can maximise this opportunity. The orientation of outdoor spaces to maximise sun and shelter must also be considered.
- 3.41 Passive Solar Gain - buildings can maximise the entry of the low winter sun (for passive solar heating) by the orientation of the facades, with generous fenestration within 30 degrees due south. This works best when the building has a high thermal mass.

Figure 3.4: Illustrates how passive solar gain works



3.42 Active Solar Gain - building facades and roofs can be used to collect solar energy for conversion into electricity or to heat water for the building's occupants. An aspect within 30 degrees due south is ideal.

Figure 3.5: Illustrates how roof orientation can maximise the potential for solar collection



3.43 The Council is keen to promote domestic microgeneration technologies where possible. Along with domestic wind turbines, solar panels are becoming more cost effective and environmentally friendly way of powering a home. Changes to permitted development rights for renewable technologies introduced on 6th April 2008 and 12th March 2009 respectively, have lifted the requirements for planning permission for most domestic microgeneration technologies. You can check whether permission is needed by completing and submitting a Householder Enquiry Form, which you can download at or obtain from the Council offices.

3.44 As a guide, planning permission will not be required for installation of solar panels on house roofs subject to all of the following:

- The panel should be fixed parallel to the existing roof slopes
- The panel should project no more above the roof surface than a typical roof light (up to 200 mm projection)
- The highest part of the panel should not be higher than the highest part of the original roof

- There are no restrictions on development at the house (as a result of conditions imposed on the original planning permission)
- The property is not a listed building
- The property is not within a conservation area. It may still be possible to install solar panels without planning permission but the Council's Development Management Team should be contacted first. Generally the installation of panels on the roof slope fronting a highway would be considered to be a material alteration requiring planning permission.

3.45 Solar panels fixed to house walls do not normally need permission provided:

- The highest part of the panel does not exceed four metres in height, within two metres of a boundary of the curtilage of the house
- The panel does not project closer to a highway than the original house unless there would be 20 metres between it and the highway
- In conservation areas solar panels on walls would not be permitted development. They would need planning permission and it is likely that they would be refused on visual appearance grounds. There could also be efficiency problems if panels were to be installed on walls.

3.46 The installation of solar panels will also require a Building Regulations Application, due to the additional loading on the roof structure and the associated electrical works. Please contact the Council's Building Control Team for more information.

Where else to look:



- b) Ease of Movement
 - [Green Infrastructure Strategy for PUSH October 2009](#)
- e) Good Quality Public Realm
 - [Manual for Streets](#)
 - [Safer Places: The Planning System and Crime Prevention \(2004\)](#)
 - [Secured by Design](#)
 - [Havant Open Spaces Plan and PPG17 Assessment](#)
 - [Statement of Community Involvement \(2006\)](#)
 - [Developer Contributions SPD - Consultation Draft](#)
- f) Diversity and Detailing
 - [Havant Borough Council Conservation Area Documents](#)
 - [Chichester Harbour Conservancy Website](#)
 - [Emsworth Design Statement](#)
 - [The Northney and Tye Village Design Statement](#)
 - [Housing SPD](#)
- g) Adaptability and Sustainability
 - [Lifetime Homes](#)
 - [Buildings for Life](#)
 - [Havant Borough Council Building Control](#)
 - [Code for Sustainable Homes](#)
 - [BREEAM New Construction: Non-Domestic Buildings Technical Manual](#)
 - [Guidance on the Use of Permeable Surfacing of Front Gardens](#)
 - [Planning Portal Advice on Solar Panels](#)

Identifying Local Patterns of Development

- 4.06 It is crucial that the design of new places is undertaken with a sound understanding of the form and fabric of development in the local area. This understanding should inform the layout and design of a proposal and reinforce local character and distinctiveness, whilst allowing for innovative design.
- 4.07 The following Table 4.1 identifies the four principle elements of built form that help to identify local patterns of development. These are explain in more detail below and are:
- Layout and form
 - Landscape and topography
 - Detail and materials
 - Density and mix.

Table 4.1 - Local Patterns of Development – Analysis and Response

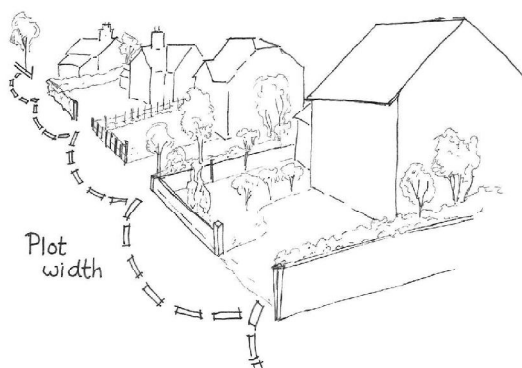
The layout of development should reflect the layout and pattern of development in the neighbouring area, looking to adjoining properties first.

1. Layout and form

Plot width

This is the typical plot and building width that addresses the main street.

The width of the plot and width of the proposed building should be similar to that prevailing in the local area, looking to immediate neighbours first.



Street build up

Existing gaps 60% Build up - Green, pleasant, air, sky
Regular rhythm



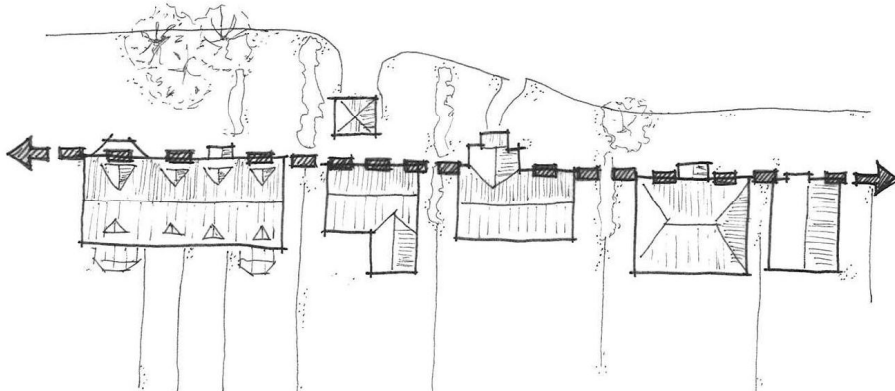
Extending into gaps 80% Build up - Views obscured, less air, less light
Broken rhythm



This looks at the amount of the street that is built up. New development should follow the typical pattern of existing properties, looking to immediate neighbours first.

The gaps between buildings, or the lack of gaps between buildings plays an important part in forming the character of an area. The gaps can provide us with views to the countryside or landscape to the rear of properties. In town and village centres the buildings often form a continuous frontage to streets, or in the case of Havant Town Centre the continuous frontage is broken in places by gaps and routes through called Twittens, which are unique to Havant.

Building line

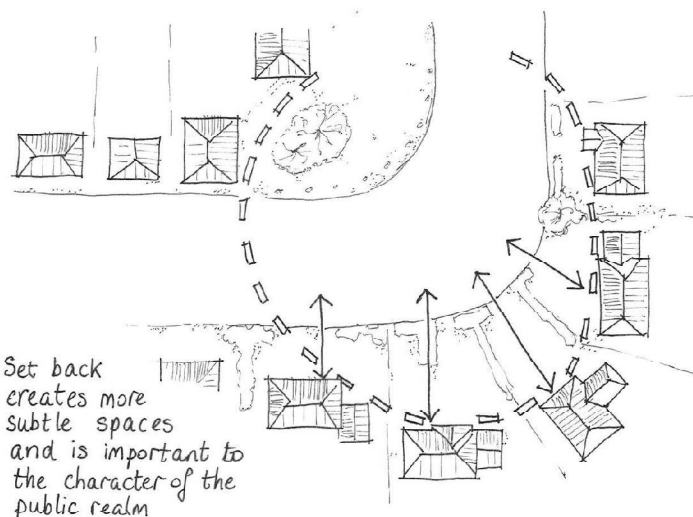


Existing building lines should be the starting point

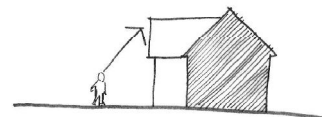
This is the line that defines the front of main building. New developments should follow the common building line i.e. that defined by immediate neighbours.

The position of the building line should respect the street with the relationship of buildings on either side of the street providing varying degrees of enclosure of the street. In urban centres where streets are narrow and buildings are typically higher, there is a high degree of enclosure. This creates an intimate environment for pedestrians. Suburban streets, with generous front gardens and one or two storeys in height, have low levels of enclosure. In this case, the street can feel very open and less intimate. Enclosure in this case can be enhanced through the planting of street trees, which can help frame and narrow the street.

Set back



Setting a building further back makes it appear less dominant

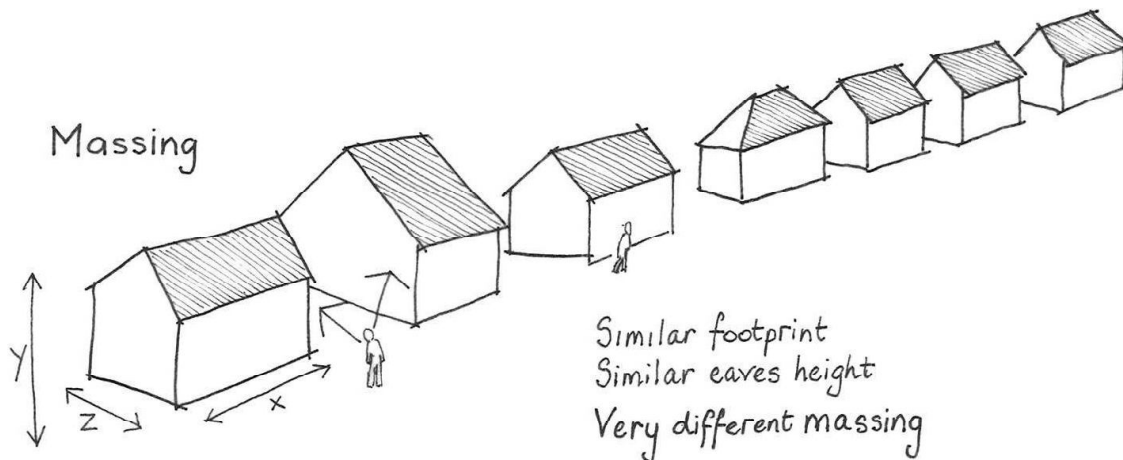


Buildings that extend forward dominate the street more

This is the separation distance between the building line and the street/public realm. New developments should follow the common building line i.e. that defined by immediate neighbours.

Set back can help define character of an area, for example a 3-6 metre set back is typical in our suburban streets and allows for front gardens with trees. Where continued this can create a green and leafy character to a street. In contrast in town centre locations, there is often no set back with the building line right on the boundary with the street.

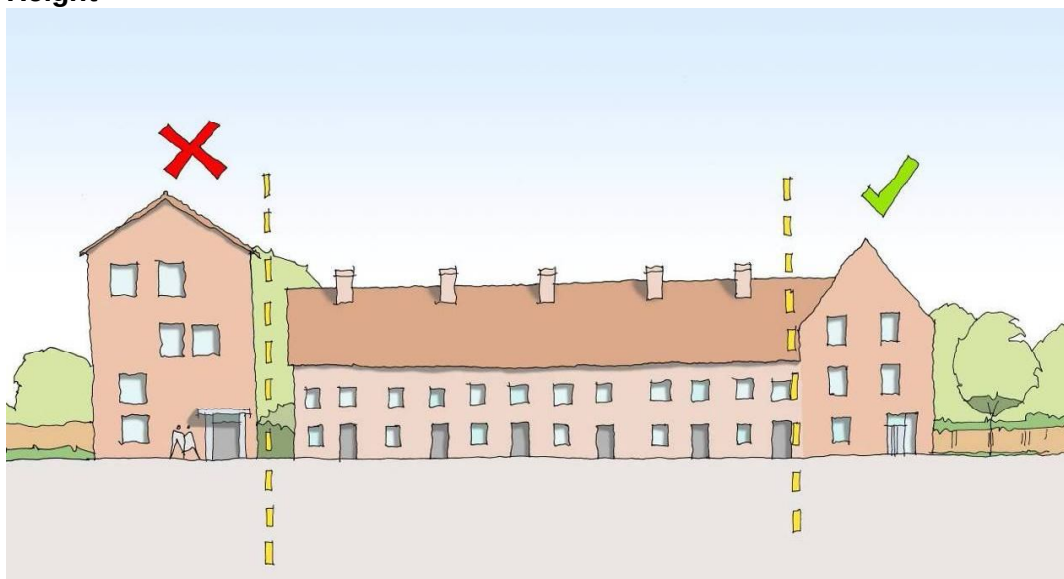
Massing



Massing is the three-dimensional expression of the amount of development on a given piece of land. The volume (depths and heights) of buildings in relation to other buildings, streets and spaces should follow the typical pattern of existing properties, looking to immediate neighbours first. The mass of a new building or extensions should not be allowed to dominate the street.

There are exceptions to this, for example where the Council supports intensification of the site or where it is appropriate from a legibility perspective to have larger landmark buildings.

Height



Height determines the impact of development on views, vistas and skylines and can be expressed in terms of the number of floors; height of parapet or ridge; overall height; or any of these in combination. New development should generally not be more than 1 storey higher where it directly adjoins or is close to existing residential development.

New developments should follow the typical pattern of existing properties, looking to immediate neighbours first. The height of a new building or extensions should not be allowed to dominate the street. There are exceptions to this, for example where the Council supports intensification of the site or where it is appropriate from a legibility perspective to have taller landmark buildings.

Front boundary

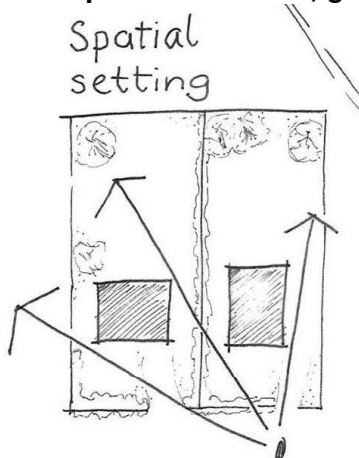
In some areas, changes to the enclosure of a front boundary, by raising or lowering their height, can alter the character of the street. Tall screens for privacy can have a negative effect, reducing opportunities for natural surveillance of the street and views of gardens.

Front boundaries should respect the character of the road or street. Where low front boundary enclosures are typical, introducing taller boundaries should be avoided. In general front boundaries should be constructed of robust material such as brick or railings.



2. Landscape and Topography

Landscape – street trees, gardens and landscape features



This is the character and appearance of land, including its shape, form, ecology, natural features, colour and elements and the way these components combine. Green space around buildings or groups of buildings soften otherwise hard urban environments and contribute to local character.

Existing features should be incorporated in the development wherever possible and used to help reinforce character. Loss of greenery should be avoided in spaces that provide valuable green setting for buildings. For example, introducing excessive areas of hard surfacing with the removal of, lawns and plants will produce a much harder environment and change the character. Where front garden space is limited, hedges and climbing plants can add to the street whilst taking up little room.

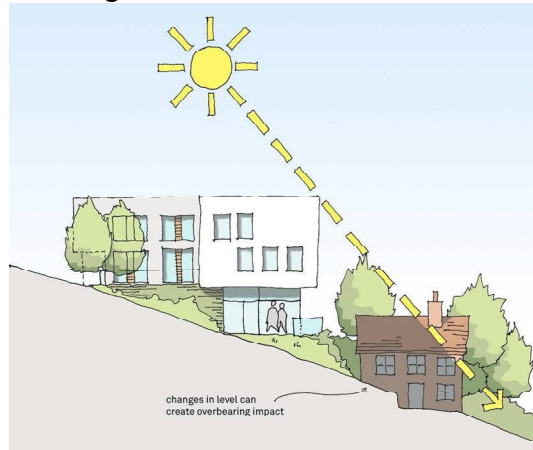
Landscape and environmental designations including the Chichester Harbour AONB help to shape the character of the Borough and where relevant need to be taken into account. More information on the location of these designations can be found on the Council's website: www.havant.gov.uk.

The Borough's landscape clearly has an environmental value but it can also bring social and economic benefits. The Council therefore supports opportunities to improve existing features. More information can be found under the section on Green Infrastructure in Section 4B.

Topographical nature of the site and surroundings

The topography of the site includes slopes, level changes and mounds. New developments should respond to the topology of the site and allow it to influence the design and layout of a scheme.

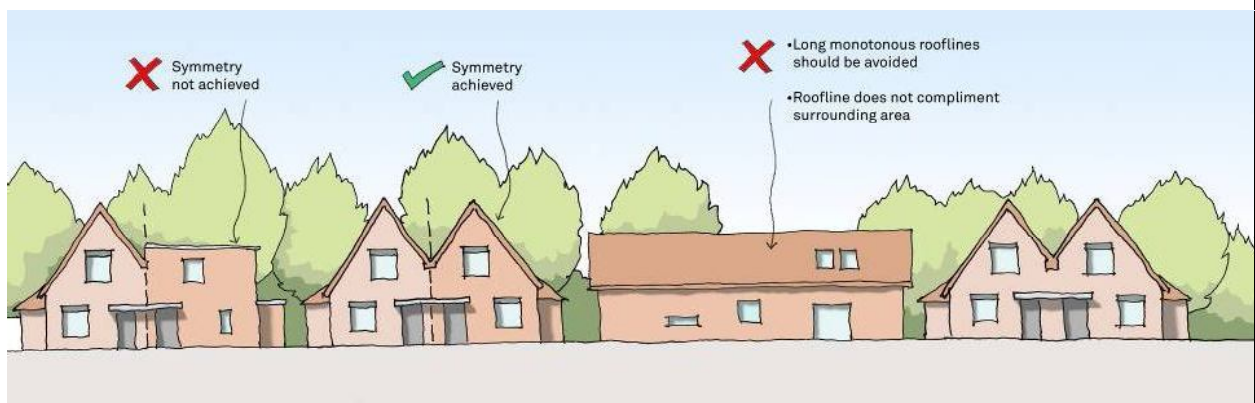
Some sites have existing man made mounds created from piles of topsoil and construction material left over from former projects. These mounds have no function and can inhibit natural surveillance. Where new development comes forward on these sites, these mounds should be removed.



Significant changes in level can make massing relationships with existing development worse

3. Detail and Materials

Rhythm and patterns, key features and detailing



New development should reflect prevailing features such as consistent rooflines in a street

Key features include the rhythm of facades; rhythm and pattern on the skyline through roof shapes and articulation; repetition of elements and patterns in such items as bays, dormers, repeated gables and chimneys. Detailing is the finer level and the craftsmanship, building techniques, decoration, styles and lighting of a building or structure. Where streets and places have prevailing features these should be incorporated as much as possible in any new development in the area.

4. Density and Mix

Density

Different densities are appropriate in different places, for example the density of a site in the centre of Havant should be higher than a site on the edge of the countryside. The density of new development should be driven by the density in the neighbouring area. Core Strategy Policy CS9 Housing provides further information on density.

Use mix

In accordance with PPS1 and PPS3 development should include a mix of uses wherever possible. This is particularly important for in schemes in urban, district and local centres.

Developing a Concept Plan

- 4.08 A sites' assets, opportunities and constraints assessment (covered in Section 4A) is the starting point for developing a design concept for new developments. Applicants should take this information forward and consider the local context. This will build an understanding of local development patterns and any area specific aspects of character, covered in Section 4A and Appendix 1, that should be reflected in the new development. Together an understanding of the site through the assets, opportunities and constraints assessment and an analysis of local context should provide the applicant with enough information to produce a concept plan. This will simply show the indicative layout and its key components.

Illustration 4.2: An example of a Concept Plan



(should also be labeled)

The Masterplanning Process

- 4.09 Applicants for significant new developments may decide to develop their concept plan through a masterplanning process. Masterplanning is a collaborative process that involves a range of stakeholders, including the public, that together help to form a comprehensive strategy for the delivery of a new place. This is illustrated by two and three dimensional drawings and supported by a phasing and delivery plan. Masterplanning is a particularly useful where the development site has: Complex development and delivery issues, such as environmental constraints; multiple land owners; considerable stakeholder interest; and will take place over a number of years.

Where else to look:



[Creating Successful Masterplans, CABE](#)

4B Layout and Design: Guidance on Residential Developments

Introduction

- 4.08 This section provides additional detail specific to residential developments and includes information on extensions, the addition of dormers and skylights to existing buildings, the development of backland and infill sites for residential use. Applicants should note that not all extensions and alterations require planning permission. Some extensions of dwellings are covered by permitted development. Applicants are strongly advised to obtain written confirmation as to whether planning permission is required. Building Regulations approval is also required for most building works and therefore it is important that applicants check with the council before beginning any work.
- 4.09 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 buildings footprint and 25% of the buildings 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.

4Bi Extensions and Additions to Existing Residential Properties

- 4.10 In general, an extension should not be bigger than the main building and therefore should appear smaller in mass and height. Extensions should look to the existing building as the main reference point for appearance, materials and details such as ridge, verge and eave finishes, head and cills, brick coursing, dressings and quoin work. The positions and proportions of solid wall to opening of windows and doors is also important. The roof form and slope should also reflect that of the main building.

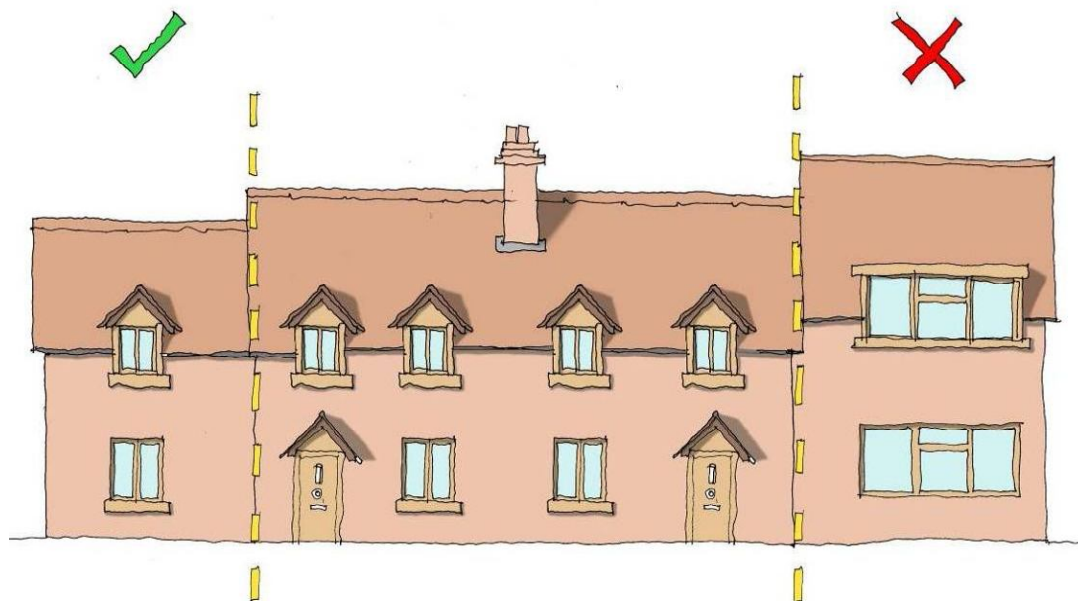
Front Extensions

- 4.11 Front extensions should not protrude too far forward from the main building, or be prominent in the street and should respect the common building line. Front extensions are therefore most appropriate where the building is set well back from the street, where there is a staggered building line, or in isolated countryside locations. Two storey front extensions will only be acceptable where the building is set well back from the street.

Side Extensions

- 4.12 It is important that the extension remains subservient to the main building, so it can be read which part of the building is the original and which is a later addition. Two storey side extensions should be set back behind the main building line. The ridge height of the extension can also be reduced to below the height of the main ridge so that the extension does not dominate the main frontage. The angle of the roof should be the same as or similar to the existing roof. Flat-roofed extensions are not normally acceptable, particularly at two storey height.

Figure 4.2: Keeping the ridge and eaves of an extension lower than the main building and maintaining the same roof pitch will help the original house maintain its dominance



- 4.13 It is important that gaps are retained between buildings. This helps form the pattern of development in an area, which in turn influences local character. Therefore, side extensions which have a negative effect on the gap between buildings should be resisted. This is particularly important for two storey extensions, which can also cause adverse effects on neighbouring properties, such as overshadowing. In general, the extension should not be closer than two metres from the boundary with neighbouring properties.

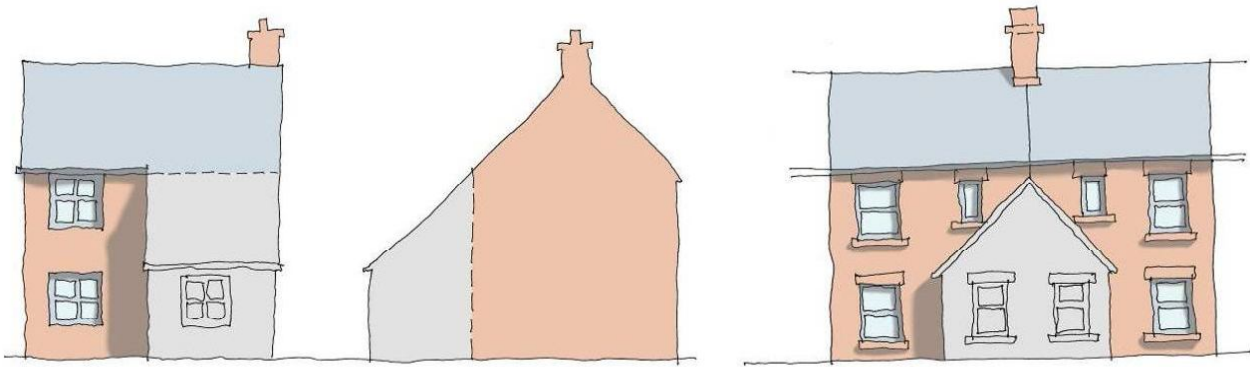
Single Storey

- 4.14 Single storey extensions, should also be more modest in scale than the main building and should not be allowed to dominate. In general flat roofs are not acceptable. The roof of the extension should mirror that of the main building, in terms of its angle, eaves detail, materials, doors and windows. There may be exceptions to this rule, providing the results do not have an adverse affect on neighbouring properties or the streetscene.
- 4.15 Again it is important to retain the gaps between buildings and a single storey extension should be in keeping with the local pattern of development, looking to immediate neighbours first. Single storey extensions should therefore be at least 1 metre from the boundary with adjacent properties.

Rear Extensions

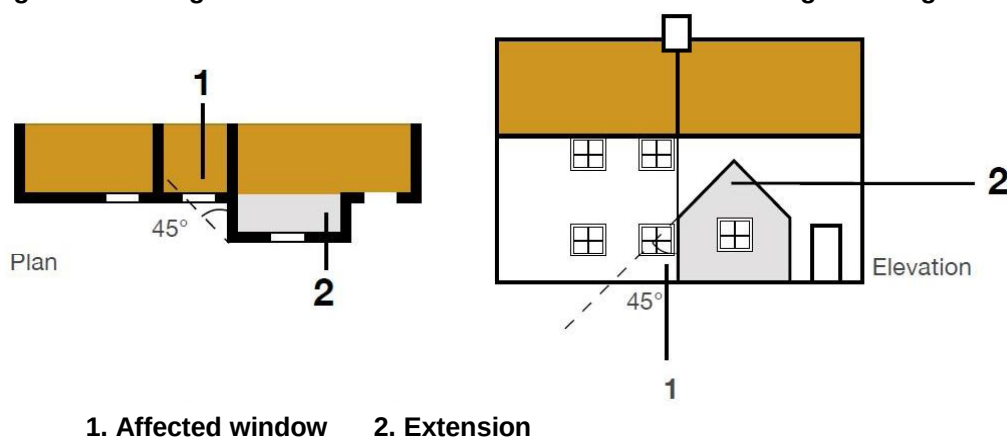
- 4.16 Rear extensions should be sympathetic and subservient to the original design of the building. They also need to have particular regard to neighbouring properties and should not cause an adverse affect, such as overshadowing. Rear extensions should maintain a distance of 8 metres plus from the extension and rear boundary wall and 20 metres from the extension and the neighbouring property to the rear.

Figure 4.3: A sympathetic rear extension



- 4.17 Rear extensions should be a maximum of 3 metres from the rear wall of the existing house, providing that this does not have an adverse effect on neighbouring properties. Outside of Chichester Harbour AONB exceptions to this may be considered, providing there is no adverse effect on neighbouring properties. In general, a single storey extension should be no closer than 1 metre to neighbouring properties and 2 metres for two storey extensions.
- 4.18 The design of a rear extension should avoid the loss of light to neighbours. Obstruction of light and outlook from an existing window can be mitigated against if the extension does not result in the centre of the existing windows being within a combined plan and section 45 degree overshadowing zone.
- 4.19 To assess this, on the window wall elevation an angle is drawn diagonally down at 45 degrees from the near top corner of the proposed extension. An angle of 45 degrees is then drawn back from the end of the extension toward the window wall. If the centre of the main window of the adjoining property lies on the extension of both these lines, then the extension will probably cause a noticeable reduction in sky light received by the window.

Figure 4.4: Design of a rear extension should avoid the loss of light to neighbours



Extensions to Listed Buildings

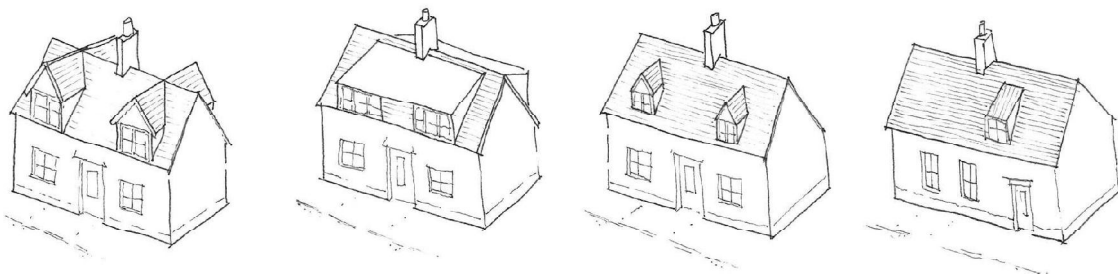
- 4.20 Extensions to listed buildings will require planning permission. The design of extensions to listed buildings requires special consideration. It is important the extension harmonises with the existing building and should not dominate, obscure or unbalance the elevation or negatively effect the historic value of the internal layout.

- 4.21 Extensions should not be placed in a position that would result in the loss of features of intrinsic merit, such as original timber framing, windows, doors, or masonry walling. Extensions to a listed building also need to consider its setting, which forms part of the statutory listing.

Dormers and Roof Lights

- 4.22 Dormers are considered an acceptable way of providing light and ventilation to existing buildings. They should be designed to sit back into the roof, back from the front line of the wall below, in from the verge and below the existing ridge line.
- 4.23 Dormers should not dominate the roof or the existing building. To help avoid this they should be the same size or preferably smaller than the windows below. Generally the dormers should have pitched roofs, with slopes in keeping with the existing roof.
- 4.24 Special consideration needs to be given to dormers in conservation areas, historic town and village centres and adjacent to listed buildings. In these instances consideration needs to be given to the local context. Dormers may not be appropriate in these instances.
- 4.25 Applicants should also explore the possibility of gaining light through windows in gable walls and rooflights. As discussed above these may not be acceptable in all instances. Rooflights on the roof fronting a street should be avoided, these should be located to the rear. New dormers, rooflights and windows should not have an adversely negative effect on the privacy of neighbours.
- 4.26 Applications for any alterations to attics will need to be assessed by the council's Building Control Department to assess whether there is adequate headroom and access.

Figure 4.5: Appropriate scale of dormers



Incorrect

Correct

Conservatories

- 4.27 Conservatories should be in keeping with the character and material of the main building. Consideration must be given to the height, mass and location of the conservatory to prevent the addition overwhelming the building or creating an adverse effect on neighbouring properties. In general, the conservatory should be no closer than 1 metre to neighbouring properties.

Porches

- 4.28 New porches need to be carefully considered, as they hold a prominent position on a buildings main elevation and should enhance rather than detract or overwhelm. In general porches look more attractive when the front door is positioned centrally and the door is set back in a reveal. Porches should be kept open.

Figure 4.6: Porches and canopies should reflect the character of the original house



- 4.29 Applicants should look to porches on immediate neighbouring properties for influence. Where front doors of semi-detached or terraced homes are paired, the porches should be added to both or none at all.

4Bii Requirements for New Residential Developments

- 4.30 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.

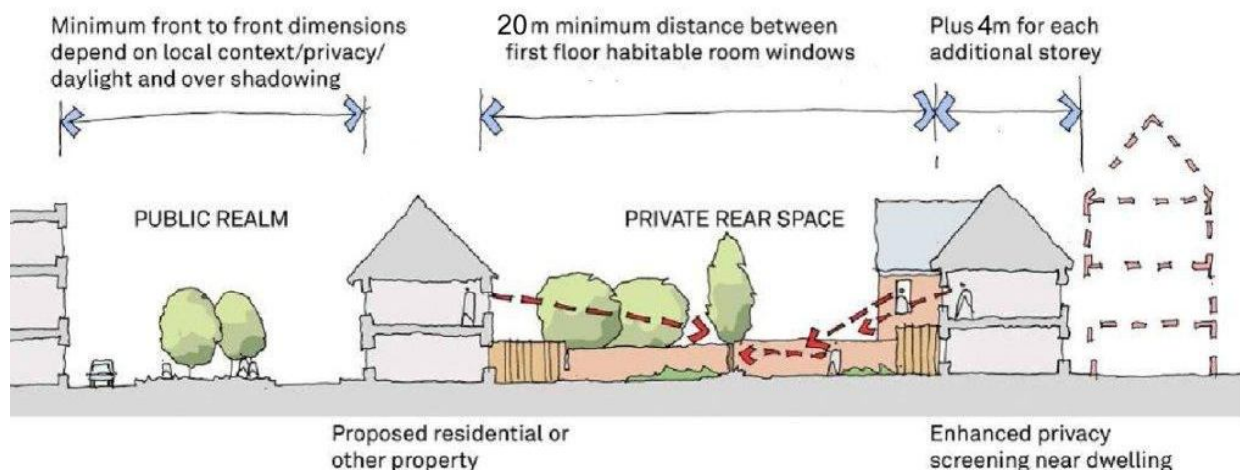
Perimeter Block Development

- 4.31 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

- 4.32 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.
- 4.33 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 permission, 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 4.7: Back-to-back distances



Daylight

- 4.34 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.
- 4.35 New developments should not result in the loss of light to existing buildings. Acceptable daylight to interiors can be provided once there is a 25 degree vertical angle from a point 2 metres above the ground on the facing external façade. (This results in a 10 metre minimum separation distance between dwellings).
- 4.36 In order to assess this, draw a reference point 2m above ground level (taking into account any slope corresponding to the top part of ground floor windows) and draw a section in a plane perpendicular to the face of the building. If none of the obstructing building is within the horizontal > 25 degrees, then there will be potential for good daylight to the building. This is illustrated in Figure 4.8 below. If an obstructing building exceeds this relative height, then further analysis can be carried out to quantify the amount of skylight falling on a vertical window known as the 'vertical sky component', which is set out in more detail in the BRE report Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice published in 2002.

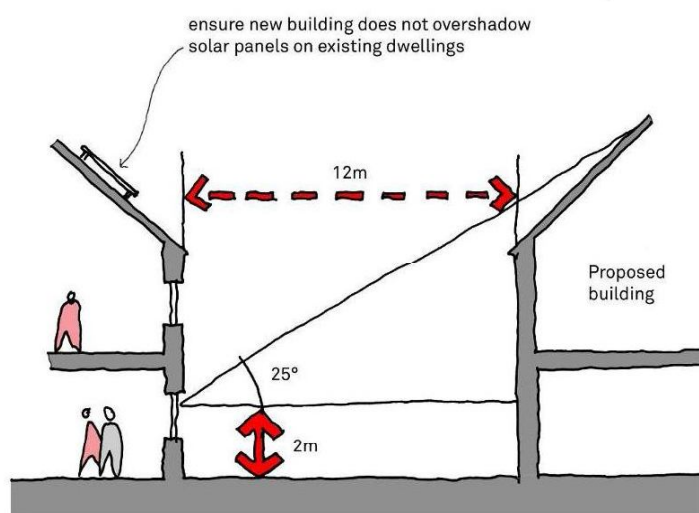


Figure 4.8: Daylight checking for new buildings adjacent to existing homes

Sunlight

- 4.37 It is not always possible or reasonable to require all dwellings to have sunlit rooms. However, the extensive obstruction of sunlight to an existing property or its garden by the construction of a new building or extension is likely to be unacceptable. Therefore applicants should consider the effects of loss of sunlight to existing properties and should aim to mitigate these effects wherever possible. This is particularly important where neighbouring properties are taking advantage of the sun's orientation for solar gain. Further information and tables for calculating sunlight availability at different times of the year are available in the BRE guide.

Public Amenity - Open Space and Play

- 4.38 New development should address parks and open spaces. These spaces should be integrated into the design of new places and can become focal points for new residential led schemes.

Figure 4.9: The main elements of a well-located play area



Private Residential Amenity

- 4.39 All residents should have access to private amenity space whether that is the back garden of a house, a private shared space, or balcony of an apartment.

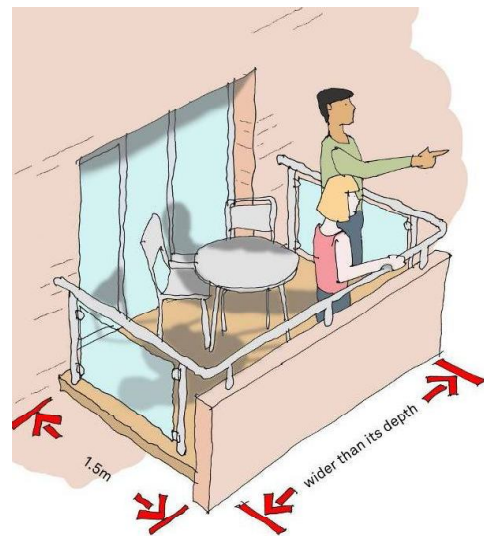
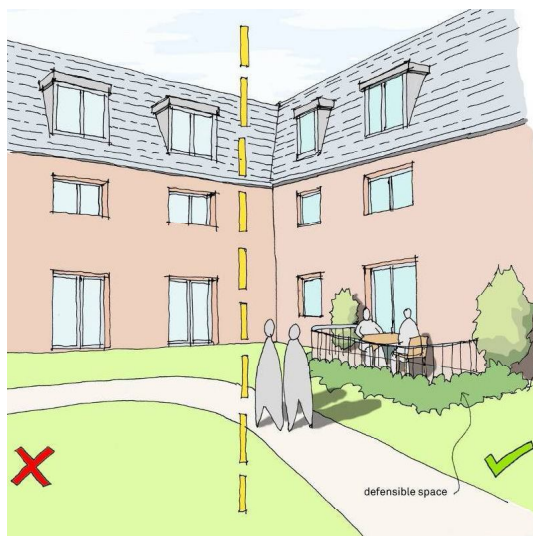
Houses

- 4.40 As stated, the garden of a two storey home should be a minimum of 10 metres in length to provide appropriate daylight and to minimise overlooking, with an additional 4 metres for every storey added. Clearly there may be exceptions to this rule, depending on the local context, for example in urban areas there may be a historic pattern of development that dictates otherwise, such as three storey townhouse served by small courtyards of 10 metres rather than large gardens of 14 metres plus.

Apartments

- 4.41 Where ground floor apartments are being proposed the applicant should endeavour to provide private gardens for individuals where possible. When not possible communal gardens should be provided, with safe and convenient access for residents.
- 4.42 In addition, the design of apartments should incorporate balconies where possible, particularly in the absence of communal gardens. However, balconies are not acceptable everywhere, particular in historic and conservation areas.

Figure 4.10 (left): Defensible space is required for ground floor flats adjacent to communal areas
Figure 4.11 (right): Recommended balcony dimensions



Lifetime Homes

- 4.43 As people's circumstances change their needs and abilities in a home can change too. Often people feel they must move house when their current home cannot be adapted to their changing needs (e.g. disability, sickness, old age). Lifetime Home design comprises sixteen criteria that respond to people's changing need throughout their lifetime, in particular for modifications that may be required for individuals with mobility difficulties.
- 4.44 The council will seek dwelling space standards for the borough based on those used by registered housing providers. For more information please refer to the council's emerging Housing SPD.

Accommodating the Car

- 4.45 As stated in the seven key principles of good design, the layout of new schemes should not be dominated by the car or highways. It is important that the public realm feels welcoming and safe and encourages pedestrian and cycle movement, as well as opportunities for social interaction encouraged through people using and enjoying streets and spaces.
- 4.46 In recent years in the borough, developers have begun to return to rear car parking and rear parking courts. Experience shows that where this happens, activity on the streets suffers because residents primarily access their homes from the rear. The result produces negative social and physical effects, with fewer opportunities for interaction of neighbours and streets that are empty and unused. In order to prevent this, the design of new developments should encourage people to access their homes from the primary street in the first instance.

- 4.47 Applicants for residential and mixed use schemes should refer to the guidance set out in the English Partnerships document, Car Parking What Works Where. This document recommends some general principles for designing parking in residential led developments which are endorsed by the council. The council considers the following key messages that should be reflected in the design of new residential development: To avoid parking to the rear until street and frontage parking options have been exhausted. The use of mews or rear courts should support on street parking, not replace it.
- 4.48 The following recommendations with respect to the layout of suburban parking should be reflected in the design of new developments:
- At lower densities it should be possible to provide all parking in a combination of on plot, unallocated frontage access types (such as front courts) and on street types
 - All cars need to be surveilled from ground and upper floor windows
 - Garages and car ports should not project forward of the building lines
 - Include breaks in line of rows of on street parking bays between every five spaces. This can either be tree planting or provision to make it easier for pedestrians to cross from one side of the street to the other
 - Vary street width and length according to the prominence of the route and housing density. This will allow a wider range of parking types to be used and will help to vary street character.

Rear Courtyard Parking

- 4.49 Private rear boundaries must be masonry walls and not fences to limit the impact of noise and disturbance on residents. An appropriate standard of lighting must also be provided and the courtyard should be well maintained and overlooked.

Figure 4.12: Appropriate boundary structures for rear private gardens



Services and Waste

- 4.50 All developments should provide adequate communal facilities for the storage of domestic waste prior to collection. These can be arranged and designed in a variety of ways including, designated communal storage areas on the ground floor of buildings and detached storage buildings.

- 4.51 These facilities should not have an adverse visual impact on the street. Where a bin store is proposed as a separate building it needs to be designed with the same care and detail as the rest of the development. The facilities should have convenient access for residents and collection vehicles. The maximum distance that residents should have to carry refuse to a bin store should be no more than 30 metres. The collection point should be reasonably accessible for collection and within a distance of 30 metres of the adopted highway. The design should allow for sufficient space around the container for movement and cleaning. The facility should also be permanently ventilated at high and low levels.

4Biii Residential Backland and Infill Developments

- 4.52 Havant Borough Council acknowledges that backland and infill developments have a role to play in delivering the council's housing and development targets. However, many of these sites are situated amongst existing neighbours and can create an adverse impact. Development of backland and infill sites should not have an adverse effect on neighbouring properties, should maintain and enhance the existing character and quality of an existing area and should create pleasant and attractive places to live.

Backland Development

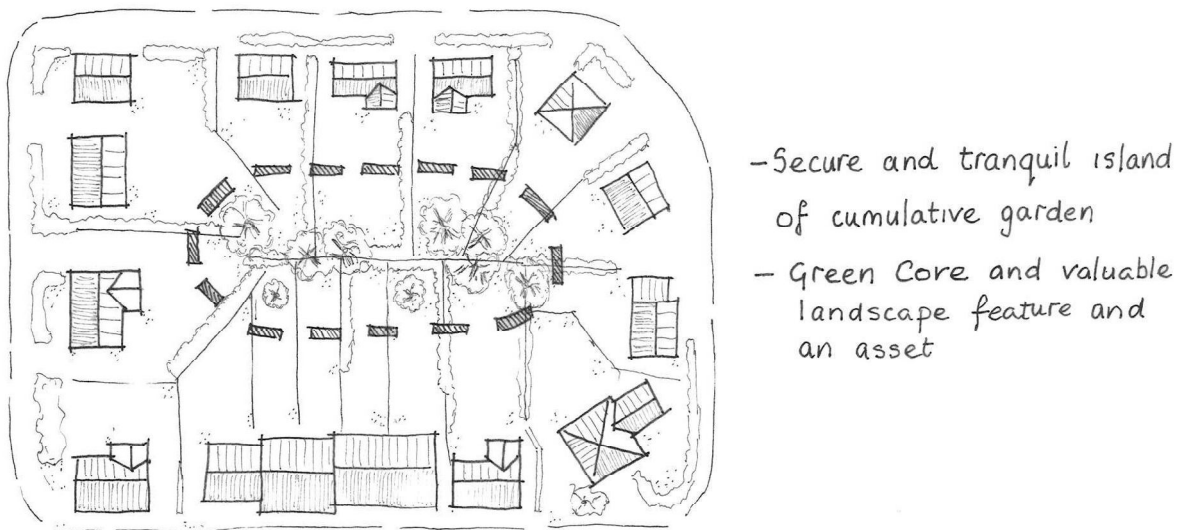
- 4.53 Backland developments can be difficult to design because they are commonly located in existing residential areas, which can create issues of scale, access, overlooking and separation distances. Backland sites are generally landlocked, such as rear gardens and private open space and therefore by their nature are largely out of view. The proposed development should therefore not dominate in terms of mass or height the street or public frontage, or buildings on this frontage. It should be well designed, it should also be subservient and smaller in size, massing and scale to the frontage property.
- 4.54 Tandem backland development is created where new dwelling is placed immediately behind an existing dwelling, on sites that occupy smaller sized plots or share the same access. Due to the problems of overlooking, noise and traffic disturbance, loss of amenity, cramping and the adverse impact on local character, successful tandem schemes are difficult to deliver successfully. Exceptionally, on very large plots, it may be possible to achieve sufficient separation between dwellings and between the host dwelling and access road to overcome these problems. In general, tandem backland development developments will only be permitted provided that the amenities of the surrounding dwelling, together with the 'host' dwelling can be safeguarded, there is no possibility of a more comprehensive scheme and the design of the tandem property is subservient to the host.

Figure 4.13: Example of an insensitive backland development



- 4.55 In some instances a more satisfactory form of development can be achieved by packaging a number of land parcels together to develop a more appropriate scheme. Developments should not come forward in a piecemeal manner and should not hinder the future development of other adjoining brownfield land. The council encourages applicants to explore the possibility of site assembly at the initial stage.
- 4.56 Combined rear gardens and their landscape provide an attractive streetscene and backdrop to the dwellings. This is part of character of the area, which can be lost through backland development. Therefore, in these instance backland development should only be allowed in exceptional circumstances.

Figure 4.14: Backland development should not have a negative effect on existing character and therefore should avoid development on cumulative rear gardens



- 4.57 Access roads to backland sites should be designed in a way that avoids negative impacts and disruption to the local pattern of development and the appearance of the streetscene. Wherever possible existing access points should be used. The council will resist backland development that creates multiple access points where this will have a detrimental appearance on the street frontage. Proposals for demolition of existing buildings that would allow access will be considered. However the applicant will need to take into consideration the effect this has on the local context, for example the area may be characterised by a continual street frontage. If the proposed gap is out of character with the development pattern, development will be discouraged by the authority.
- 4.58 Access routes should be located an appropriate distance away from the existing dwelling so not to have a detrimental effect through noise, visual disruption or loss of privacy. Routes should usually have a minimum separation distance of 3 metres from the edge of the access road to the edge of the nearest effected house, together with the appropriate boundary treatment to screen the access road from dwellings. In some instances, for example where habitable rooms and windows are closest to the access, this minimum separation distance may need to be greater. In other instances, where the nearest part of the house contains non-habitable rooms (e.g. a garage) a shorter separation distance may be permissible.
- 4.59 Where access roads exclusively serve five dwellings or more the access road will need to be of an adoptable standard as agreed by Hampshire County Council. A private road serving five dwellings or less must take account of the servicing requirements of refuse collection and emergency vehicles. Shared drives can be a solution for particularly constrained sites, the

suitability of this solution would need to be assessed on a case-by-case basis. The bin collection areas need to be carefully sited and designed so as not to have a detrimental effect on the streetscene or create amenity issues.

Infill Development

- 4.60 Infill development should look to the immediate site context for reference and respect the layout and character of the surrounding area, looking to immediate neighbouring properties in the first instance. Where perimeter block development predominates, rear garden infill breaks the perimeter block structure and may reduce the security of internal areas and therefore may be unacceptable.

Figure 4.15 An example of acceptable and unacceptable types of infill



Where else to look:



- [Chichester Harbour Conservancy Design Guidance for New Dwellings and Extensions](#)
- [BRE Guidance and tables: Site Layout Planning for Daylight and Sunlight – a Guide to Good Practice published in 1991](#)
- [Havant Open Spaces Plan and PPG17 Assessment \(2006\)](#)
- [Lifetime Homes](#)
- [Code for Sustainable Homes Technical Guide \(2010\)](#)
- [Housing Corporation Disability Equality Strategy](#)
- [Havant Borough Housing SPD Draft \(April 2011\)](#)
- [Code for Sustainable Homes](#)
- [English Partnerships: Car parking What Works Where](#)
- [The Residential Parking and Cycle Provision SPD](#)
- [The Hampshire Parking Standards \(2002\)](#)
- [Manual for Streets](#)
- [Hampshire Companion Document to Manual for Streets](#)

5 The Planning Application Process, Design Review and Neighbourhood Plans

Introduction

Jobs ticked:

- Having considered and reviewed relevant planning policies and material considerations ✓
- Having understood what the council means by good design ✓
- Having analysed the site and its context ✓

- 5.01 The applicant and their design team are now ready to begin the place-making process and develop a site specific design using this information as its framework. When approaching the design of new development it should be noted that Havant Borough Council encourage innovative approaches to design of new development. The Council firmly believes that understanding the character of an area should inform approaches to design and enable both innovation as well as traditional design solutions to come forward.
- 5.02 As part of the design process, the applicant will need to create an urban structure; working out the inter-relationship between development blocks, streets, buildings, open space, landscape and all the other features; respond to context as set out in Section 4A and detail the place, considering the detail of buildings and the public realm and the crucial interface between them, such as the corner treatments, the roof-lines, the pavement and the street lighting. The applicant will also need to begin to develop an implementation and delivery plan which includes details such as: The development timetable, how the construction process will be managed and how the development, including landscape and open space will be managed beyond completion.
- 5.03 There are clearly many considerations and it is therefore advisable for the applicant to contact the council at this time to discuss arrangements for pre-consultation engagement with the Development Management Team.

5.1 Planning Application Process and Engagement

- 5.04 The council's Statement of Community Involvement (SCI) sets out the council's public consultation requirements for the planning application process and how and when the public can get involved in planning decisions in the borough. In general, the Council encourages pre-application engagement with the authority and the local community to help identify any issues at an early stage, so they can be addressed before the planning application is submitted, therefore reducing risk of refusal. For further information please contact the Development Management Team on 023 92446015 or by email to planning.development@havant.gov.uk.

5.2 Design Review Panels and process

- 5.09 Developments defined as significant in the Council's SCI, or developments considered sensitive or significant by the council, may be requested at the discretion of the authority, to present their proposals at a pre-application stage to the regional design review body the South East Regional Design Panel or the sub regional design review body, the Gosport, Portsmouth, Fareham, Havant Design Review Panel. This provides the authority and the developer with additional design comments to consider as part of the design process. Applications for development may be submitted to the local design panel once the application has been submitted. In this instance, the proposal will be presented by the case officer. The views of the design panel are then considered in the determination of the final planning application. The Emsworth Design Panel is a local panel, which focuses on schemes in the Emsworth area. The council encourages applicants of sensitive or significant applications in the Emsworth area to present their proposal to the panel at an early stage in the design process, preferably at pre-application stage.

- 5.10 The design review panels at regional, sub-regional and local levels are independent panels of design professional including architects, landscape architects and urban designers who provide unbiased appraisals of new developments.

5.3 Neighbourhood Plans

- 5.11 The aim of Appendix 1: Havant Borough Urban Context and Character Appraisals is to identify and help define the Borough's local character. The Council acknowledges that there is potential for more detail to be added to this section and that local communities may be best placed to do this work. It is envisaged that local communities can take the information set out in Appendix 1 forward, together with other important documents on their localities such as a Village Design Statement and use these as a basis for their neighbourhood plans.

Where else to look:



- [Information on pre-application advice](#)
- [Pre-application Advice Request Form](#)
- [Development Consultation Forum \(DCF\)](#)
- [Planning Applications; A Developers Checklist](#)
- [Statement of Community Involvement \(2006\)](#)

HAVANT BOROUGH COUNCIL

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY MR LONG AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR ERECTION OF 1No. 3 BED DETACHED HOUSE WITH NEW ACCESS FROM WESTBOURNE CLOSE, AT LAND ADJACENT TO 8 WESTBOURNE AVENUE, EMSWORTH, PO10 7QY

Planning Inspectorate Reference: APP/X1735/A/13/2202188/NWF

LPA REF: APP/13/00228

List of Suggested Conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Construction of the building hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11.4, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A, B and E of the Town and Country Permitted Development Order, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.
Reason: In the interests of the amenities of the neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 The development hereby permitted shall not be commenced until an Interim Certificate of Compliance with the Code for Sustainable Homes has been submitted to and approved in writing by the Local Planning Authority. The

Certificate shall demonstrate that the development will attain a minimum standard of Level 3 in accordance with the Code. The development shall be carried out only in accordance with the details the subject of the Certificate.

Reason: To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 The development shall not be brought into use until a minimum of two parking spaces have been provided within the curtilage of the site and thereafter all of those spaces kept available for such purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 No development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.

Reason: To safeguard the amenities of the locality and having due regard to policies DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan - sheet one

Block Plan - sheet two

Cycle and bin stores - sheet 10

Landscape and parking plan - sheet 4

Floor plan and elevations - Sheet 3 Rev A

Reason: - To ensure provision of a satisfactory development.