

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL AGAINST REFUSAL OF PLANNING PERMISSION

**Demolition of existing dwelling and erection of 2 no. semi-detached 3 bedroom houses and
1no. 2 bedroom bungalow with associated garages and parking
at 28 Lodge Road, Havant, PO9 3LL**

LPA APPLICATION NO. APP/13/00064

APPEAL NO. APP/X1735/A/13/2208899

APPELLANTS' COMMENTS ON LPA STATEMENT OF CASE & THIRD PARTY REPRESENTATIONS

1.0 INTRODUCTION

- 1.1 This statement deals only with matters not previously addressed in the appellant's submitted Grounds and Statement and which have been raised in submissions made after these documents were completed. Where possible it uses the paragraph number of the specific statement upon which comment is made (*italics*).

2.0 COUNCIL'S STATEMENT

- 2.1 The Council has used much of the case that was made in the officer's report and to which reference is made in the Appellant's Statement.
- 6.2 It is noted that the Council confirms that it has no objection to the design or principle of the pair of semi-detached dwellings that the scheme proposes.
- 6.3 The Council is incorrect in describing access to the proposed bungalow as a 'road'. It is in fact a low-key private drive that is domestic in scale and character. It is not at all 'cramped' as the analysis in the Appellant's Statement of both the density and the plot dimensions demonstrates.
- 6.4 - 6.5 These matters are addressed in the Appellant's Statement
- 6.6 The access point is adequate for three dwellings and is acceptable to the council's highways officer. The matters relating to the boundary are addressed in the Appellant's Statement.
- 6.7 - 6.10 These matters are addressed in the Appellant's Statement
- 6.12 The Appellant acknowledges the effective withdrawal of Reason for Refusal No.3.
- 7.3 The Council does not provide any evidence as such, only allegations that are not backed up by any analysis. The examples used by the Appellant provide evidence of the detailed design implications of the particular matters alleged by the Council to be unacceptable and demonstrates that when applied elsewhere the arrangements are in fact acceptable.

3.0 CONDITIONS

- 3.1 The suggested conditions proposed by the council are accepted by the appellant.

4.0 THIRD PARTY REPRESENTATIONS

Letter from Ron Tate

- 4.1 The matters raised by Mr Tate are similar to those set out in his letter to the Council.
- 4.2 Mr Tate questions the motives of the appellant in submitting the appeal given the submission of the second application. The appeal scheme is the appellant's preferred approach.
- 4.3 The provision of an acoustic fence or wall by planning condition was always available to the Council. The appellant has used the opportunity of the appeal statement and the second application to point out that this issue should not be a reason for refusal.
- 4.4 The alleged confusion that having a shared access might raise is a spurious claim that can be shown to be without foundation by the examples of other similar schemes. The

comparisons that have been identified are good examples of the various aspects of the proposed scheme that can be seen to function well in practice.

4.5 The alleged impact on No 27 is without any serious foundation and is not shared by the local planning authority.

4.6 The Appellant's Statement addresses the matters raised in respect of planning policy

5.0 CONCLUSION

5.1 There are no new matters that would lead to a conclusion that the scheme is unacceptable.

The Inspector is respectfully requested to allow the appeal.