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BOROUGH COUNCIL

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To:
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SO51 9BD

For: Tolcarne Drive Developments Ltd

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

Application Number: APP/12/00966

Site Address: Land North of Goldring Close and My Lords Lane, East of St Margarets Road and South of Beech Grove and Hawthorne Grove, Hayling Island

Proposal: Outline application for 131No. open market and affordable dwellings comprising 10No. 1 bed flats, 4No. 2 bed flats, 48No. 2 bed houses, 49No. 3 bed houses, 20No. 4 bed houses; public open space; car parking; new vehicular access from Beech Grove/Hawthorn Grove including demolition of 1 Hawthorne Grove; new pedestrian and cycle access from St Margarets Road including demolition of 23 St Margarets Road.

Further to your application received on 14 September 2012, which was valid from 26 September 2012, Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

The reasons for the Council's decision to refuse planning permission are:

- 1 The proposal represents the undesirable addition of dwellings in an area of countryside for which, having regard to the available housing land supply, there is no overriding justification and which is not identified in the emerging Draft Local Plan (Allocations) DPD. It is therefore contrary to policies CS9 and CS17 of the Havant Borough Local Plan (Core Strategy) DPD 2011 and the National Planning Policy Framework, March 2012.
- 2 The proposed development would, by reason of its scale and density, significantly change the character of the area by infilling an undeveloped gap between Gable Head and Mengham, which would erode the rural setting of this part of the Chichester Harbour Area of Outstanding Natural Beauty (AONB) and as such fail to preserve or enhance the special qualities of the AONB. It is therefore contrary to policies CS12, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) DPD 2011 and the National Planning Policy Framework, March 2012.
- 3 Having regard to the reports submitted with the application, the Local Planning Authority is not satisfied that the development can be carried out without having a likely significant effect on the Chichester and Langstone Harbours SPA/Ramsar site and impacts on the associated Chichester Harbour SSSI. It is therefore contrary to policies CS11, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) DPD 2011 and the National Planning Policy Framework, March 2012.

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- 4 The siting of the vehicular access to the proposed development would result in the loss of trees important in the local landscape and subject to a Tree Preservation Order, for which no overriding justification has been presented. The development is therefore contrary to policy CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) DPD 2011 and the National Planning Policy Framework 2012.
- 5 On the basis of the information submitted it has not been demonstrated that the access is of an achievable layout which is safe and suitable for all people. The proposal is therefore contrary to policies CS16, CS19, CS20, and DM11 of the Havant Borough Local Plan (Core Strategy) DPD 2011, and the National Planning Policy Framework, March 2012.
- 6 Binding arrangements are not in place to secure the following aspects of the development, as a result of which it is not considered that the development could be undertaken in a satisfactory manner:
 - (i) A contribution of £492,205 be made towards the Hampshire County Council Transport Contributions policy;
 - (ii) The provision of a Residential Travel Plan;
 - (iii) The management arrangements for new roads, including street cleaning and street lighting;
 - (iv) A contribution of £185,333.50 be made for off site play space improvements;
 - (v) On site open space management and maintenance arrangements;
 - (vi) Design and specification of SUDS system;
 - (vii) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangement to secure the operation of the sustainable urban drainage scheme throughout its lifetime;
 - (viii) Securing public rights of way and gaining access through the site to the public open space and to cycle/pedestrian routes;
 - (ix) That a minimum of 30% of the dwellings are made available as affordable housing in accordance with Council policy;
 - (x) Affordable housing units to be integrated and compatible with the design of Open Market Housing Units;
 - (xi) Phasing of the affordable housing provision;
 - (xii) Design standards for the affordable housing;
 - (xiii) Long term management arrangements for the affordable housing;
 - (xiv) Nomination arrangements for the affordable housing;
 - (xv) Tenure mix for the affordable housing;
 - (xvi) An Employment and Skills Plan for the construction phase of the development

The carrying out of the development in the absence of such provision would result in an unsatisfactory form of development in that it would result in a failure to secure mitigation measures and adequately promote sustainable modes of transport, which will result in the development placing overdue reliance on the private car and a severe impact on the local road network; it would not make appropriate provision for, and maintenance of, necessary open space and play provision and sustainable urban drainage arrangements; it would not make appropriate arrangements for affordable housing on site; and it would not secure a necessary Employment and Skills Plan for the construction phase of the development. The development would thereby conflict with policies CS1, CS3, CS9, CS11, CS13, CS15, CS16, CS19, CS20, CS21, DM8, DM10, DM11 and DM12 of the Havant Borough Local Plan (Core Strategy) DPD 2011 and the National Planning Policy Framework, March 2012

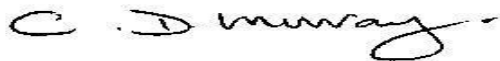
In coming to its decision the Council considered plans and other documents submitted with regard to your application and the relevant policies of the Havant Borough Local Plan and other planning policy documents including the National Planning Policy Framework 2012.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6573.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs.
- (3) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) take a positive and proactive approach to development proposals focused on solutions. HBC work with applicants and agents in a positive and proactive manner by;
 - Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You were updated about issues after the initial site visit and consultees responses



Mr Chris Murray
Service Manager (Planning Development)

21 December 2012