The Planning Inspectorate

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Miss Karen Wooden
Havant Borough Council
Business Development & Support Team
Civic Centre
Havant
Hampshire
PO9 2AX

Your Ref: APP/12/00048

Our Ref: APP/X1735/A/12/2180810/NWF

Date: 22 February 2013

Dear Miss Wooden

Town and Country Planning Act 1990
Appeal by Mr Mark Ripley
Site at 89 Station Road, Hayling Island, PO11 0EE

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

Edita Jasiukeviciute

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Appeal Decision

Site visit made on 11 February 2013

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 22 February 2013

Appeal Ref: APP/X1735/A/12/2180810
89 Station Road, Hayling Island, Hampshire PO11 0EE

- 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 M Ripley against the decision of Havant Borough Council.
- The application Ref APP/12/00048, dated 12 January 2012, was refused by notice dated 16 March 2012.
- The development proposed is erection of a two storey detached building with a flat at first floor level and garaging at ground floor level.

Decision

1. I allow the appeal and grant planning permission for erection of a two storey detached building with a flat at first floor level and garaging at ground floor level at 89 Station Road, Hayling Island, Hampshire PO11 0EE in accordance with the terms of the application, Ref APP/12/00048, dated 12 January 2012, subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1133-201 (Location Plan); 1133-202 (Block Plan); 1133-204° (Proposed Site Plan); 1133-302a (Proposed Plans); 1133-402a (Proposed Elevations).

   3) No development shall commence until samples and details of all external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

   4) No development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours, means of enclosure, hard surfacing materials, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the landscaping works.

   5) If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another of the same species and size as that originally planted shall be planted at the

same place, unless the Local Planning Authority gives its written approval to any variation.

6) The development hereby permitted shall not be brought into use until the three parking spaces shown on drawing number 1133-302a have been provided. All of those spaces shall be kept available for such purposes at all times thereafter.

Main Issues

2. These are;

- The effect of the development on the character and appearance of the Station Road area.
- The effect of the development on the living conditions of neighbouring residential occupiers with particular regard to outlook.

Reasons

Character and Appearance

3. The proposal would provide an additional dwelling in a sustainable location, close to shops and services and on a bus route. Core Strategy Policy CS16 seeks high quality design and lists matters that include responding to existing features, and being well connected to and integrated with the local area. The National Planning Policy Framework at section 6 contains advice on delivering a wide choice of high quality homes.

4. The land to be occupied by the proposal is open, and at the time of the site inspection was hardstanding near the existing dwelling and grass nearer the boundary with number 91, although this latter area is shown as car parking on the drawings. There is an area of private garden to the rear separated by a fence. The host building, number 89, stands forward on the frontage and at right angles, whilst on the far side number 91 is a bungalow and is set back. The next dwelling to the west, number 93, is semi-detached and again stands forward. Hence, the appearance in the locality is mixed, with no set pattern of frontage development, size or height of building, and there is also a range of uses which results in a mixed character. There does not appear to be any major benefit to the street scene in the land to the side of the existing dwelling being kept open and in its present form.

5. The proposed building would follow the line of number 89 and be set across a form of courtyard from it. The building would establish a new frontage to the street and take the eye around the bend in the road in a way that the bungalow next door does not at present. The placing of a building here would not cause harm to the appearance of this area. It has been said that the building follows the form and detailing of an outbuilding and the Council are not convinced of this. Nevertheless, the building would mediate in height between its two neighbours, would have an appropriate detailing to the courtyard, and would appear as an acceptable building in the situation, whether or not it is read as a former stables. The blank rear wall would not appear out of place or unusual in a building built close to a boundary.

6. In conclusion on this main issue, the development would be acceptable in this location and would not cause harm to the character and appearance of the

area, in line with Policy CS16 of the Core Strategy and national guidance in the Framework.

Living Conditions

7. The concern is over the outlook from number 91, the bungalow to the west, and it is the fact that the present occupier wrote to the Council stating that the proposed building would not represent an overbearing and un-neighbourly form of development. Whilst the view of the present occupier may not be shared by future ones, weight should be attached to this positive statement, and more than had there been no response at all.

8. It appears that the main rooms of the bungalow face front and back and there is a good length of front garden. To the rear the space appears more limited, but this area would not be affected by the development. The one window facing the appeal site appears obscure glazed, although that is a matter of occupier's choice, but the distance set in from the boundary and the width of the driveway, together with the controlled height of the new building, would all lead to there being adequate natural light and no unacceptable reduction in the quality of the outlook. The development therefore complies with criterion e) of Core Strategy Policy CS16 in that it does not cause unacceptable harm to the amenity of neighbours through the effect on their outlook.

Conditions and Undertaking

9. The Council's third reason for refusal was that there was no contribution to the County Council's Transport Policy, contrary to Core Strategy Policies CS21 on developer contributions and DM12 on mitigating the impacts of travel. Since the production of the Council's Appeal Statement, an undertaking has been submitted in a standard form and a cheque has been deposited with the Council, who have processed the payment. The undertaking is necessary to make the development acceptable in planning terms, is directly related to the development, and fairly and reasonably related in scale and kind to the development. Hence the undertaking satisfies the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

10. The Council suggests conditions which include one setting out the drawing numbers to which development relates and this is necessary for the avoidance of doubt and the proper planning of the area. A condition controlling materials and ensuring that the parking is available on completion and remain available is required as is one requiring landscaping details, to ensure that the details of the development enhance the area.

Conclusions

11. The development would provide a dwelling in a sustainable location without causing harm to the character and appearance of the area or the living conditions of neighbouring residential occupiers and as such would accord with the requirements of policies in the Development Plan having those aims. For the reasons given above it is concluded that the appeal should be allowed.

S J Papworth

INSPECTOR

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