The Planning Inspectorate

Quality Assurance Unit
Temple Quay House
2 The Square
Bristol, BS1 6PN

Direct Line: 0117 372 8252
Customer Services: 0117 372 6372

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

Your Ref: APP/12/00066

Our Ref: APP/X1735/A/12/2183310/NWF

Date: 8 February 2013

Dear Miss Wooden

Town and Country Planning Act 1990
Appeal by Mr Dean Simpson
Site at 208 London Road, Waterlooville, PO7 7AN

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

Simon Maguire

COVERDL1

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

HAVANT BOROUGH COUNCIL
11 FEB 2013
RECEIVED

The Planning Inspectorate

Appeal Decision

Site visit made on 4 February 2013

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 8 February 2013

Appeal Ref: APP/X1735/A/12/2183310
208 London Road, Waterlooville PO7 7AN

- 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 Dean Simpson against the decision of Havant Borough Council.
- The application Ref APP/12/00066 was refused by notice dated 5 April 2012.
- The development proposed is the refurbishment of the existing farmhouse and development of the site to accommodate a three bedroom detached chalet bungalow and a pair of four bedroom semi-detached dwellings.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the site visit it became apparent that the proposed site plan submitted with the appeal was not the same drawing that the Council had considered when refusing planning permission. The latter showed a parking space between the eastern site boundary and the dwelling on Plot 2. The amended drawing shows this space located on the opposite side of the dwelling which would itself be sited further to the east.

3. As a result the proposal would be materially amended and interested parties would not have the opportunity to make representations so that their interests would be prejudiced. In consequence, the appeal will be determined on the basis of the layout that was considered by the Council.

Main Issues

4. The main issues in the consideration of this appeal are:

   - The effect on the character and appearance of the area.
   - The effect on the living conditions of the occupiers of the adjacent dwellings at 208a London Road and 2 Farm Lane Close.
   - The implications of the proposal for the provision of transport infrastructure.

Reasons

Character and appearance

5. The appeal site contains a detached two storey dwelling, which has the status of a locally listed building (LLB). The property is of a simple vernacular design with a highly symmetrical front elevation. It is also of a relatively imposing stature and scale with gable ends and chimney stacks at either end. Rather than appearing overly large this gives the building an appropriate presence in the streetscene.

6. The dwelling is set in a relatively large plot which serves to distinguish it from the surrounding generally more modern higher density development and makes reference to its origins as a farmhouse. The adjacent frontage buildings in London Road vary appreciably in their design and sizes, so that the wider streetscape is somewhat eclectic. The adjacent property at 206 is fairly modest in scale at the front and although the additions to the rear are relatively deep it therefore appears subordinate to the LLB in the streetscene. As a consequence of its spacious setting and architectural merit the LLB contributes positively to the locality, despite the varied context of adjacent frontage development.

7. The semi-detached dwellings, with two storeys below the eaves, would be constructed in the space to the side of the LLB, fronting onto London Road. As a consequence the gap from these dwellings to the LLB would be broadly comparable to that between the latter and the building at no. 206, rather than appearing especially wide as at present. This important distinguishing characteristic that enhances local distinctiveness would therefore be unacceptably diminished. Furthermore, the additional enclosure resulting from the new dwellings on two sides in fairly close proximity, together with the additional hard surfaces, would be unduly at odds with the generally open soft landscaped character of the curtilage.

8. In consequence, the open setting would be unacceptably eroded and the new pair of frontage dwellings, in particular, would unduly compete with and diminish the presence of the LLB in the streetscene. The latter effect would be further exacerbated by attempting to reflect the style of the LLB in the new pair of dwellings.

9. There is no consistent building line in London Road in the vicinity and there are dwellings to the rear in Farm Lane Close. As a result the position of the dwelling on plot 2 to the rear of the LLB would be compatible with the existing pattern of development. There is significant variation in plot sizes in the vicinity and in this context those of the new dwellings would not appear unduly small or cramped in their own right.

10. The single storey extensions at the rear of the LLB would be removed. However, these are subordinate features that do not affect the noticeably more important front elevation and this is not a significant factor in favour of the proposal. There is no detailed evidence to demonstrate any significant defects in the condition of the LLB and no obvious signs of undue deterioration were apparent at the site visit. It has not been shown that development is needed to secure the repair and retention of the LLB.

11. Because the positive and distinctive contribution of the LLB would be detrimentally affected the proposal would harm the character and appearance

of the locality. Because of the adverse effect in relation to the building of local architectural interest the proposal would conflict with Havant Borough Core Strategy, March 2011, Policy CS11 4. The failure to respect the local context and respond positively to the feature of local character within the site would be contrary to Core Strategy Policy CS16 1. a).

Living conditions

12. The relatively deep side elevation of the pair of semi-detached dwellings would almost entirely project beyond the front elevation of the neighbouring dwelling at 208a London Road. It is acknowledged that there is a footpath between the two boundaries. However, irrespective of whether this is a public right of way, the fairly substantial bulk of these new properties would still be in unduly close proximity to the front and side elevations of the adjacent dwelling which both contain ground and first floor windows.

13. As a result there would be an unacceptably oppressive sense of enclosure with the new dwellings appearing overbearing. The presence of either new or existing vegetation along this boundary would be likely to add to the sense of enclosure rather than mitigate it. Because of the position of the pair of dwellings broadly to the south-west of the house at 208a there would be no undue loss of sunlight.

14. The only first floor window in the flank wall of the dwelling adjacent to no. 208a would serve a bathroom and so could be required to have obscured glazing and be non-opening were the appeal to succeed. Any overlooking from windows in the rear of the semi-detached dwellings, including from the dormer projections, would be at a sufficiently oblique angle to prevent any significant loss of privacy. Any views from the ground floor windows over the boundary fence would be into the front garden where a lower standard of privacy may reasonably be expected than at the rear. The new detached dwelling would be sufficiently distant to prevent any undue impact. In consequence, there would be no unacceptable overlooking of this neighbouring property.

15. The car port in the north-east corner of the site would be separated from the garden at 208a by the footpath. Because of this and its modest single storey scale there would be no adverse effect in relation to light or outlook.

16. The bungalow at 2 Farm Lane Close is relatively near to the eastern side of the site. Because of the bulk and relatively close proximity of the new detached dwelling there would be an unacceptable sense of enclosure. This would be experienced in views from the dining room of the neighbouring property so that the new dwelling would appear overbearing.

17. The nearest first floor window in the front projection of the detached dwelling would serve a bathroom and therefore have obscured glazing. As a result there would be no significant overlooking of 2 Farm Lane Close.

18. The side elevation of the bungalow contains two windows serving bathrooms. In consequence, there is no significant outlook towards the location of the car port in this part of the site, which would not therefore result in any undue loss of outlook. The modest scale of the structure would ensure no undue reduction in light.

19. There is a background of significant traffic noise from the busy London Road. In this context, the fairly modest number of intermittent vehicle movements

associated with the parking spaces in the site would not result in undue noise and disturbance.

20. Nevertheless, because of the overbearing effects the living conditions of the occupiers of both adjacent dwellings would be harmed. This would be contrary to Core Strategy Policy CS16 1. e) which includes the aim of preventing harm to the amenity of neighbours through loss of outlook.

Transport infrastructure

21. The occupation of the proposed dwellings would place additional demands on transport infrastructure in the locality. Despite having indicated a willingness to make a payment towards such provision there is no planning obligation to ensure that this would be done in the event of the appeal succeeding.

22. As a result the proposal would undermine the necessary provision of such infrastructure. This would be contrary to Core Strategy Policy CS21 which seeks to ensure that infrastructure requirements are met and that where the necessary contributions are not made planning permission is refused.

Other considerations

23. The proposal would enable the provision of three additional dwellings, which is a significant factor in favour of the appeal. However, in this instance this would be achieved at the unacceptable expense of the character and appearance of the area and the living conditions of adjacent occupiers, as well as placing an additional unmitigated burden on the transport infrastructure.

24. The Council's highways consultee has raised no objections in relation to road safety and there is no technical evidence to justify reaching a different conclusion.

25. The Appellant indicates that the Council agreed to the principle of a pair of semi-detached dwellings prior to the submission of the application. However, such advice is not binding on the Council and this appeal must be considered on its own merits.

Conclusion

26. Because of the harm that would arise and taking account of all other matters raised, the appeal fails. In reaching this decision the views of local residents have been taken into account.

M Evans

INSPECTOR