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/11/01542

Our Ref: APP/X1735/A/12/2169329/NWF

Date: 20 June 2012

Dear Miss Wooden

Town and Country Planning Act 1990
Appeal by Mr J Evans
Site at 110 Hambledon Road, Waterlooville, PO7 6UT

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

Kevin Plummer

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The Planning Inspectorate

Appeal Decision

Site visit made on 1 May 2012

by Mike Robins MSc BSc(Hons) MRTPI

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

Decision date: 20 June 2012

Appeal Ref: APP/X1735/A/12/2169329
110 Hambledon Road, Waterlooville, Hampshire PO7 6UT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr J Evans against the decision of Havant Borough Council.
- The application Ref APP/11/01542, dated 8 October 2011, was refused by notice dated 8 December 2011.
- The development proposed is the erection of four dwellings after demolition of existing, with access drive.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal was made in outline with all matters reserved, nonetheless indicative drawings were provided showing layout and floor plans. In light of the plot constraints and the proposal being for four houses in two pairs of semi-detached units, the layout would by necessity be reflective of the submitted drawings. This is supported in the appellant's written submissions; I have therefore given significant weight to these plans.

3. The National Planning Policy Framework (the Framework) was published on 27 March 2012. It reaffirms at paragraph 2 the statutory duty to determine planning applications and appeals in accordance with the development plan unless material considerations indicate otherwise. The Council's decision referred to policies of the Havant Borough Core Strategy (the Core Strategy) which remain part of the development plan. The Framework is a material consideration and both main parties were given opportunity to comment on its relevance. This appeal decision, which is based on the up-to-date policy position, takes account of the submissions received.

Main Issues

4. I consider that there are two main issues in this case, firstly, the effect of the proposal on the character and appearance of the area, and secondly, the effect on the living conditions of the occupiers of No 112a Hambledon Road, with particular regard to visual impact, sunlight and daylight.

Reasons

5. The appeal site currently comprises a substantial chalet bungalow set in a large plot, which lies on the corner of the busy Hambledon Road and the small cul-de-sac of Petersham Close. Dwellings lie only to the northeast side of the road along this stretch and while most are detached there are small groups of semi-

detached properties. Many have off-road parking and are on spacious plots. There are some bungalows, but again most properties are of two storeys, with the only larger form along the road nearby being The Oaks at No 88-90, which is of three storeys. Although there are elements of building to the rear on cul-de-sacs such as Petersham Close or The Hundreds, the large front gardens and parking areas, the tree and shrub belt screening commercial development to the south of the road and the width and spacing of the houses lend the area a spacious, suburban character.

6. The proposal would replace the existing single property with four set across the site. As a result plot widths would be reduced to just over 5m. To achieve the accommodation proposed the dwellings would be narrow and tall. The indicative plans suggest a height of between 8.5 and 10m and a depth of approximately 11m. The proposal would result in a cramped block of properties noticeably higher than surrounding development and markedly incongruous in relation to the relatively compact but still spacious development along the road.

7. I appreciate that the site has had a previous decision allowing four properties on the site, but these were spaced out to the front and rear of the plot. I am also aware of a previous appeal decision[1], which again proposed two dwelling to the front. The appellant also referred me to No 70 Hambledon Road, however, while this may have been the result of plot sub-division this property appears to have retained a relatively spacious plot. Each proposal must be considered on its own merits and none of these form any sort of precedent for the proposal before me, which I consider would fail to reflect the current setting and would harm the character and appearance of the area. It would therefore be contrary to Core Strategy Policy CS16, which seeks to ensure that new development responds to and draws inspiration from the local context, including its design in relation to heights, massing, plot widths and depths.

8. Turning to the matter of living conditions, the restricted width of the plot to accept four dwellings would result in the side elevation of the end unit being very close to the boundary with No 112a to the west. Indicative plans suggest there would be a 2m separation and No 112a itself sits only approximately 1m from the shared boundary, having two main windows and a skylight in the roof slope to this side. Furthermore it has a conservatory to the rear.

9. The plans indicate that the new dwellings would be forward of the established building line and would extend beyond the rear of the neighbouring bungalow. While I accept that there is the possibility of altering their location slightly, nonetheless the requirement to provide off-road parking and turning to the front effectively restricts their location such that the side elevation of the end dwelling would abut and overlap the side elevation of No 112a. As a result of the height of the dwelling and its location to the southeast of this property, the new dwelling would present a dominant and overbearing structure, which would also significantly reduce morning sunlight and daylight to the windows and conservatory of No 112a.

10. I accept that part of the existing property is located a similar distance from No 112a, however, the eaves levels of these properties are similar and the existing chalet bungalow does not currently restrict light, nor lead to the visual impact that would be associated with the proposed dwellings. The appellant

[1] APP/X1735/A/10/2136319

suggests that such matters were not raised in association with the previous scheme considered at appeal. I have limited information on the proposed layout for that scheme and I do not consider that there would have been comparable height and depth to the two dwellings that were proposed to the front of the plot at that time. In any case each application or appeal must be considered on its own merits.

11. In this case I consider that the proposed dwellings would harm the living conditions of the occupiers of No 112a, and would conflict with Policy CS16 of the Core Strategy in this regard. This policy seeks to ensure that new development does not cause unacceptable harm to the amenity of neighbours.

Other Matters

12. The Council sought a contribution towards highway infrastructure, noting pressure on transport associated with growth in the area. They referred to Policies CS21 and DM12 of the Core Strategy. Such contributions need to be assessed against the statutory tests of Regulation 122 of The Community Infrastructure Levy (CIL) Regulations, 2010. An increase in trips is consistent with the increased number of dwellings proposed, and the Council has submitted details of schemes in Waterlooville necessary to address transport demands associated with such growth.

13. The amount sought has been assessed against an adopted Hampshire County Council Transport Contributions Policy, 2007. On the basis of this evidence I am satisfied that the requirement for this contribution meets the test set out in Paragraph 204 of the Framework and the requirements of the CIL Regulations.

14. Although the appellant was willing to provide the contribution, a formal undertaking to address this was not provided with the appeal, and the contribution cannot therefore be considered secure. The proposal would fail to comply with Core Strategy Policies DM12 and CS21 in this regard, and this matter adds weight to my conclusions on the main issues in this case.

Conclusions

15. I note the appellant asserts that this is a sustainable location and that the proposal would make more efficient use of the plot, however, these matters do not outweigh the harm I have identified to the character and appearance of the area and the living conditions of the neighbouring occupiers. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Mike Robins

INSPECTOR