

10 July 2012

My Ref : **Adjacent 2 New Road**

Your Ref : **APP/10/00890**

**PLANNING STATEMENT
INCLUDING DESIGN AND ACCESS STATEMENT**

REVISED PROPOSAL TO CONSTRUCT A BUILDING COMPRISING 2 x TWO BED FLATS WITH NEW ACCESS TO NEW ROAD, ASSOCIATED CAR PARKING, BIN STORAGE, 2 x CYCLE STORAGE SHEDS, COMMUNAL LANDSCAPING AND 2m HIGH ACOUSTIC FENCE

LAND ADJACENT TO 2 NEW ROAD, HAVANT, HAMPSHIRE, PO9 1DE

Introduction

Although the applicants have preserved planning permission 08/60233/011 for the construction of a two storey office building through commencement of development and discharge of planning conditions they have reviewed the Planning Inspector's decision dated 15 August 2011 APP/X1735 /A/11/2153015. The appeal proposal was for the construction of a building comprising one 2 x bed dwelling and two 1 x bed flats with new access road to New Road, associated car parking, bin storage and cycle storage.

Planning application history

01/60233/006 - planning permission refused for construction of two storey office building to provide offices for Building and Decorating Contractors at first floor with store below. A subsequent planning appeal was dismissed for highway related reasons but the Inspector commented that a two storey development would not be out of character or overpowering in respect of outlook from the neighbouring property and also that the separation distances between the two would be acceptable.

03/60233/008 - planning permission was granted for the erection of a two storey office block with associated car parking utilising the existing access to New Road and new boundary treatment to north western boundary.

04/60233/009 - planning permission was refused for the erection of 6 no. 1 and 2 bed flats, refuse and cycle store and landscaping provision.

08/60233/010 - planning permission refused on 16 June 2008 for the erection of 4 no. 1 bed flats with associated parking, cycle store and bin store and new access to New Road.

08/60233/011 - planning permission for the renewal of planning permission 03/60233/008 was granted on 21 November 2008.

Details were submitted to discharge conditions and the development was confirmed as having commenced in letter dated 10 January 2012 Ref: 08/60233/011.

APP/10/00890 - The planning application sought permission for the construction of 1 No. 2 bed dwelling and 2 No. 1 bed flats, with new access to New Road, associated car parking, bin storage and cycle storage. Following the refusal of planning permission on 12 January 2011 the decision was appealed with the appeal being dismissed on 15 August 2011 for reasons set out in the Inspector's decision letter **APP/X1735/A/11/2153015** which accompanies this revised planning application.

National Planning Policy Framework - NPPF

On 27 March 2012 the Government published the NPPF which replaced a number of Planning Policy documents previously identified as being material to the decision making procedures relevant to the previous redevelopment proposal and in particular this included the following:-

Planning Policy Statement - Delivering Sustainable Development
Planning Policy Statement 3 - Housing
Planning Policy Guidance 24 - Planning and Noise
Circular 05/2005 - Planning Obligations

The NPPF constitutes guidance for LPA's and decision makers in drawing up plans and as a material consideration in determining applications. The NPPF clearly states that there is a presumption in favour of sustainable development. For decision making emphasis is placed on whether the development plan is absent, silent or relevant policies are out of date. With the removal of PPG24 the applicants believe they have no alternative but to be guided by the Inspector's appeal decision letter in the absence of current LPA guidance. Having regard to Paragraphs 48 and 49 of the NPPF the application site would appear to fall within the category of being a windfall site.

Havant Borough Council's - Housing SPD was adopted on 27 August 2011 and provides guidance in respect of Core Strategy Policy CS9. Notwithstanding the above mentioned appeal decision providing the identified design criticisms can be satisfactorily resolved the application site is well located in sustainable terms being adjacent to residential dwellings, strategic rail and bus transport routes, local shops and places of employment. By reference to Paragraph 1.23 it is stated that there is a need to increase the proportion of dwellings with two or more bedrooms for all housing tenures in the Borough.

Observations on design issues identified by the Planning Inspector

1) It is acknowledged that the application site is located adjacent to two noise sources namely the Portsmouth to London rail track and New Road. Neighbouring dwellings are subject to the same noise sources and whereas the appeal proposal comprising three dwellings did not satisfy the Inspector that the proposed measures to prevent external noise impacting upon internal living conditions would be satisfactory.

The submitted proposal comprising two flats have been designed to be mainly single aspect with acoustic wall insulation, double glazing to a specification of 4 - 14 - 6, acoustic through frame slot vents (eg. Greenwood S Slot Vents) and alongside the rail track boundary including returns the construction of a 2m high acoustic fence with a minimum density of 16 Kg/sqm continuous with no gaps at ground level.

With the removal of PPG24 the previous categories of Zones B and C are no longer supported by an approved document and as supporting information the applicants have re-appointed Sound Advice Acoustics Ltd to undertake a current noise and vibration assessment but due to extreme weather conditions this has been delayed. This will follow the application as soon as weather conditions permit. For registration purposes the survey results taken on 6 and 7 September 2007 continue to be relevant and these are enclosed with the submitted documentation.

2) The Inspector acknowledged that New Road is predominantly residential, with no strongly focused architectural theme. He commented that next to the appeal site is a row of terraced turn-of-the-century cottages with gable ends and characteristic raised fire walls between each cottage. He noted that opposite the appeal site are red brick semis which have hipped roofs and a protruding brick string course separating the floors. All the houses are of red brick and although there are no strong design cues in the area he commented that the appeal proposal failed to pick up the few that there are criticising the design which failed to make reference to any of its neighbours. He agreed with the LPA's conclusion that the design was bland and a contrived piece of 'anywhere' development.

The applicants design team have reviewed the external elevation design in light of the Inspector's criticism and with a reduced content proposal the submitted Drawing 8279 - 02 illustrates a two storey development which is constructed of red brick with a front elevation introducing characteristic local features of bay windows and canopies over entrance doors. The roof is hipped to minimise roof dominance and again to reflect roof form on the opposite side of New Road.

3) The Inspector identified that the dedicated private rear gardens within the appeal proposal were of a small size and not suitable as domestic gardens because

notwithstanding a proposal to introduce an acoustic fence along the railway boundary the gardens would in the Inspector's opinion still be affected by railway noise. The Inspector commented that exact details of the proposed acoustic fence had not been put forward for his consideration.

In contrast to the appeal proposal which included a family dwelling and ground floor flat with private gardens the submitted planning application proposes the provision of 2 x two bed flats - one at ground floor and one at first floor. By the nature of the proposed development all landscaped areas within the site would be communal. To minimise disturbance from the rail track the proposal specifically recommends the erection of a 2.0m high continuous acoustic fence with a minimum density of 16 Kg/sqm with no gaps at ground level with a return at both the west and part east boundary of the site and a return to the building adjacent to the refuse and recyclable stores. Both flats have external access to the rear communal area which will accommodate separate cycle stores.

4) The Inspector noted that the remedial measures to combat noise in the appeal proposal was restricted to double glazing which would only be effective when shut which could be a significant disadvantage in the summer. He concluded that these remedial measures would not provide adequate living conditions for the occupiers which could not be overcome by simply attaching conditions. The most telling conclusion of the Inspector included in Paragraph 9 of the decision letter was as follows:-

“It is likely a complete redesign would be required”.

The submitted planning application is in fact the result of a total redesign which reduces the content, footprint and tenure of the development, reducing the window openings on the rear elevation (to an en-suite, bathroom and kitchen), no windows are proposed to the rear at first floor level other than the provision of sun-pipes to an en-suite and bathroom with the kitchen being provided with two roof lights.

Drawings 8279 - 02 and 03 confirm that there are no windows proposed in the west elevation to mitigate against railway noise or in the east facing elevation to remove any prospect of overlooking.

Having taken further guidance from the appointed acoustic consultants - Sound Advice Acoustics Ltd, in accordance with their recommendation all windows in the development will be fitted with double glazing to a specification of 4 - 14 - 6 with acoustic through frame slot vents (eg. Greenwood S Slot Vents).

Section 106 Hampshire County Council Transport Contribution

The Inspector sympathised with the appellants that because of the closeness of the railway station and being within walking distance of the town centre and with none of the local transport projects relating to the site or its immediate area concluded by saying:-

“had I been minded to allow the appeal, I would not have attached great weight to the fact the S106 undertaking had been delayed”.

With reduced content the submitted planning application does not materially change circumstances and consequently a draft Section 106 Agreement has not been prepared to accompany the application.

Conclusion

The application site continues to be a visual intrusion impacting upon the local primarily residential character and in preparing this application the applicants have followed the comments and guidance of the Inspector’s decision made on 15 August 2011. The proposed development has been significantly amended and now comprises two flats incorporating design features visually evident on nearby dwellings. In view of the Inspector’s concerns regarding noise impact Sound Advice Acoustics Ltd have specified glazing solutions, acoustic through frame slot vent type ventilation and the specification for the 2.0m high acoustic fence to screen the communal landscaped areas. In addition the layout design reduces the requirement for windows facing the rail track and both east west elevations.

The applicants believe that previous concerns relating to more intensive forms of development at the application site have been resolved by the submitted scheme which, once implemented, will provide two new homes of affordable size within a greatly improved landscaped setting consistent with the character of the area.

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cc. Ravenswood Developments Ltd
HRP Architects