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:

Our Ref: APP/X1735/A/11/2158130/NWF

Date: 6 January 2012

Dear Miss Wooden

Town and Country Planning Act 1990
Appeal by Mr T J Link
Site at 23 Padnell Road, Cowplain, Waterlooville, PO8 8DZ

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

Erin Lindell

COVERDL1

HAVANT BOROUGH COUNCIL
09 JAN 2012
RECEIVED

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

The Planning Inspectorate

Appeal Decision

Site visit made on 20 December 2011

by David Hogger BA MSc MRTPI MCIHT

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

Decision date: 6 January 2012

Appeal Ref: APP/X1735/A/11/2158130
23 Padnell Road, Waterlooville, Hampshire PO8 8DZ

- 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 T J Link against the decision of Havant Borough Council.
- The application Ref APP/11/00309, dated 18 March 2011, was refused by notice dated 23 May 2011.
- The development proposed is a three bedroom bungalow on land to the rear of No 23 Padnell Road.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal firstly on the character and appearance of the area and secondly on the living conditions of neighbours, particularly in terms of noise and nuisance from vehicular activity.

Reasons

Character and Appearance

3. There is a range of residential types and styles in Padnell Road but I saw no backland development with the same characteristics as the proposal before me. Most nearby dwellings sit within relatively large plots with quite large back gardens. The proposed dwelling would sit to the back of No 23, with the access being immediately adjacent to the side elevation of the host property.

4. Views of the access, turning area and parts of the dwelling itself would be seen from the road and the dwelling would be seen from neighbouring properties and gardens. The proposal would constitute an intensification of development which would appear incongruous and out of character with the overall appearance of the street. Planning Policy Statement 3: Housing advises that design which is inappropriate in its context should not be accepted and that development should be well integrated with and complement the local area. This proposal would not achieve those objectives.

5. Although it is not a matter on which my decision turns I consider that if I were to allow this appeal it would make it more difficult for the Council to resist other similar proposals nearby and this adds weight to my conclusion on the first issue.

6. On the first issue I conclude that the requirements of policy CS16 of the Havant Borough Core Strategy (HBCS) which seek to ensure that new development would respect local context and use the characteristics of the locality to inform its design, would not be met.

Living Conditions of Neighbours

7. The proposed access would run between the boundary with No 21 and the side elevation of the host dwelling and the parking area would be immediately behind the proposed rear fence of the host dwelling and very close to the boundary with the back garden of No 25. The turning area would be adjacent to the back garden of No 21.

8. The access, turning and parking areas would introduce a new level of activity into what is currently a relatively quiet back garden area and the introduction of noise from these activities, albeit only from a single dwelling, would be to the detriment of the living conditions of neighbours. The appellant refers to other garages in Padnell Road that are set back but they are not, in general, set as far back into the plot as would be the case here and they do not incorporate turning areas. The circumstances are therefore not identical.

9. I have taken into account the fact that there were no objections to the proposal, in terms of noise generation, from immediate neighbours but over the lifetime of the dwelling it is likely that nearby residents would come and go and it cannot be assumed that 'new' residents would be tolerant of a noise source from within the back garden area.

10. HBCS policy CS16 requires the protection of the amenity of neighbours and this proposal would not meet that requirement, in terms of noise generation. On the second issue I conclude that the proposal would cause significant harm to the living conditions of neighbours.

Other Matters and Conclusion

11. I have taken into account the Draft National Planning Policy Framework but because of its status I only attach limited weight to its contents.

12. For the reasons given above and having taken into account all other matters raised, the appeal should be dismissed.

David Hogger

Inspector