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/11/00317

Our Ref: APP/X1735/A/11/2161442/NWF

Date: 6 January 2012

Dear Miss Wooden

Town and Country Planning Act 1990
Appeal by Classic Construction (Southern) Ltd
Site at Land To The Rear Of, 32 Avondale Road, Waterlooville, Hampshire

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

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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/11/2161442
32 Avondale Road, Waterlooville, Hampshire PO7 7ST

- 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 Classic Construction (Southern) Ltd against the decision of Havant Borough Council.
- The application Ref APP/11/00317, dated 23 March 2011, was refused by notice dated 18 May 2011.
- The development proposed is the erection of a two bedroom chalet style bungalow.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was for outline planning permission, with access and layout for consideration at this stage and appearance, landscaping and scale to be considered later.

3. At the visit I saw that the two trees that are identified on the submitted plan (100021 01) as 'existing' have been felled and I have determined the appeal on that basis.

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

Main Issues

5. The main issues are:

   - the effect of the proposed bungalow firstly on the character and appearance of the area and secondly on the living conditions of neighbours, particularly in terms of noise from vehicular movements; and

   - whether or not a contribution towards transportation measures is justified and if it is, whether its provision can be secured.

Reasons

Character and Appearance

6. There is a range of dwelling style nearby but most properties enjoy comparatively large back gardens. To the east lies the Hermitage Stream,

sitting in a shallow valley, which provides an attractive and open element in the character of the area, whilst to the south are the open grounds of what I was told is a former convent. Although there are two semi-detached dwellings nearby (Nos 34 and 36), the appeal site sits in an area with a relatively open and low density character. The appellant refers to the possibility that the adjacent convent site 'could be subject to redevelopment'. However, I have been given no details of any future scheme for the site and therefore can give little weight to this potential change in circumstances.

7. The proposed dwelling would sit on a comparatively small plot and its front elevation would be close to the parking and turning areas. The distances between the dwelling and the boundaries of the plot would be short and the layout of the development would appear cramped and incongruous in this setting. Although only an outline application, the submitted plan shows what could be a visually significant retaining wall and because of the cramped layout there would appear to be few opportunities to soften the impact of any development through the provision of planting.

8. Planning Policy Statement 3: Housing advises against development that would be inappropriate in its context and states that new buildings should be well integrated with and complement neighbouring buildings and the local area more generally. This approach is reflected in policy CS16 of the Havant Borough Core Strategy (HBCS) which seeks to ensure that new development would respond to and respect local context. For the reasons given above I conclude on the first issue that this proposal would not meet these requirements.

Living Conditions of Neighbours

9. The Council is concerned that the proposed development would give rise to a level of vehicular activity that would cause nuisance to the neighbours, particularly at Nos 32, 34 and 36 Avondale Road. However, the access already exists and is used by neighbouring properties for turning and parking, so the proposal would not introduce a new activity into the area but it would result in an intensification of the existing activity. However, no substantive evidence was submitted to demonstrate that the additional traffic movements from a single 2 bed chalet bungalow would be of such significance, when considered in tandem with the activity that already occurs, to cause demonstrable harm to the living conditions of neighbours. On the second issue I conclude that nuisance in terms of noise from parked cars and from additional vehicular movements, would not be significantly harmful. There is no justification for concluding that the increase in movements would be at a level to cause harm to nearby residents. The requirement of HBCS policy CS16, with regard to protecting the amenity of neighbours, would be met.

Transportation Contribution

10. HBCS policy DM12 requires developments to mitigate their travel impact and policy CS21 includes a requirement for contributions to be made towards infrastructure provision, including for transport. A number of transport schemes are identified within Waterlooville and I am satisfied that the requirement for a contribution meets the tests as set out in Circular 05/2005: Planning Obligations.

11. The appellant has indicated that a Section 106 Agreement would be completed but I have not received a copy of any such document. I can therefore not be satisfied that the contribution would be made. The requirements of HBCS policies DM12 and CS21, with regard to transport contributions would not be met. This conclusion alone would be sufficient to justify dismissing the appeal.

Conclusions

12. Although I have found that the living conditions of neighbours would not be significantly harmed by the proposed development, this is outweighed by the impact of the proposal on the character of the locality and the fact that there is no certainty regarding the provision of a contribution towards transport infrastructure. For the reasons given above and having considered all other matters raised, the appeal should be dismissed.

David Hogger

Inspector