The Planning Inspectorate

EST 1909

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

Your Ref: APP/10/00776

Our Ref: APP/X1735/A/11/2145254/WF

Date: 20 May 2011

Dear Miss Wooden

Town and Country Planning Act 1990
Appeal by Mr D Carter
Site at 62 Oracle Drive, Waterlooville, PO7 8BQ

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.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm. 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 0207 947 6655.

Yours sincerely

HAVANT BOROUGH COUNCIL
23 MAY 2011
RECEIVED

Dianna Wride

COVERDL1

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

The Planning Inspectorate

Appeal Decision

Site visit made on 27 April 2011

by B C Scott BA(Hons) Urban & Regional Planning MRTPI

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

Decision date: 20 May 2011

Appeal Ref: APP/X1735/A/11/2145254
62 Oracle Drive, Waterlooville, PO7 8BQ.

- 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 D Carter against the decision of Havant Borough Council.
- The application Ref: APP/10/00776, dated 19 October 2010, was refused by notice dated 11 January 2011.
- The development proposed is change of use from Council owned grassed area to form garden.

Procedural Matters

1. Since its determination of the appeal application, the Council has adopted a Core Strategy Development Plan Document (CS). I deal with the appeal in accordance with the current policy position.

2. The proposed development includes the erection of a high fence.

Decision

3. I dismiss the appeal.

Main issues

4. I consider the main issue in this case to be the effect of the proposed development on the character and appearance of the area, with particular reference to community safety and security.

Reasons

5. The appeal property is an end-of terrace house of generic design in a suburban housing estate purposely designed to restrict the impact of cars and to give priority to pedestrian movements. The appeal site is a grassed open area abutting the flank elevation of the house, alongside which is a public path and the rear gardens of another terrace. The proposed development would enclose the grassed area, which would become a garden, and create an alleyway.

6. From my examination of the housing area, particularly through its pathways, I am left in no doubt that the appeal grassed area is a structural component of the whole design because it, like all other such areas, enables the pedestrian safely and pleasantly to move through small pockets of housing. There are pinch points but these are no more than that, enabling the pedestrian

immediately to discover what lies beyond. In other words, the appeal grassed area contributes significantly to a positive relationship between buildings, streets and spaces.

7. That structural element of design would be weakened by the proposed development through the loss of both the open grassed area and a pinch point. Moreover, the pinch point would become an alleyway with little, if any, natural surveillance to deter anti-social or criminal behaviour. That result would be at odds with CS Policy CS16, which makes clear that development should respect local context and produce a positive relationship between buildings, streets and spaces, including through reducing opportunities for crime and anti-social behaviour and contributing to improving community safety.

8. Additionally, the proposed development would be at odds with CS Policy DM8, (insofar as the housing estate may contribute to the identity of the Borough), in that a sequence of green spaces would not be maintained nor its attractiveness and visual amenity protected.

9. Accordingly, I conclude on the main issue that the proposed development would be harmful to the character and appearance of the area, in conflict with policies CS16 and DM8 of the Development Plan.

10. I fully understand the Appellant's reasons for wishing to enclose the grassed area, but it would bring with it consequences of greater magnitude, as I have identified above. I have considered all other matters raised, but none alters my conclusion on the main issue, which leads me to dismiss the appeal.

B C Scott

INSPECTOR