

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

**STATEMENT OF
HAVANT BOROUGH COUNCIL**

Land adj. 1 Dockenfield Close, Havant, PO9 3ST

**Local Planning Authority Reference:- APP/17/01136
Planning Inspectorate Reference:-
APP/X1735/W/18/3201013**



APPEAL BY Mr T STONE AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR Construction of 1No. 1bed dwelling with associated refuse and cycle storage, parking and landscaping on Land adj. 1 Dockenfield Close, Havant, PO9 3ST

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1.0 THE APPEAL SITE AND ITS SURROUNDINGS

- 1.1 Dockenfield Close is a residential cul-de-sac in Havant. No 1 Dockenfield Close is an end of terrace 2 bedroom house sited on a corner plot at the junction with Winchfield Crescent. It is set back from Winchfield Crescent relative to the terrace that lies to the east fronting the Crescent and a landscaped area separates the boundaries of these properties and the side boundary of the application site from the highway in Winchfield Crescent. The property has a relatively wide garden.
- 1.2 Generally the properties in this location were constructed without on-site parking, and the area provides some unallocated layby parking. However, the application property does have a garage served by a dropped kerb off Winchfield Crescent and whilst the garage does not appear to be in use and is below the size currently required, it could provide parking for a small vehicle together with a space on the tarmacked area to the front, thus providing 2 spaces.
- 1.3 The area is predominantly characterised by medium to high density residential development of a broadly similar character. The site lies within a defined urban area for the purposes of the development plan.

2.0 THE APPLICATION

- 2.1 The application the subject of this appeal, which was not the subject of a proposal under the Council's pre-application enquiry service, was validated on 23 October 2017 and initially sought permission for 'Construction of 1No. 2 bed dwelling with associated refuse and cycle storage, parking and landscaping'. The submitted plans were subsequently amended to 1No. 1bed dwelling with associated refuse and cycle storage, parking and landscaping, and it is this development that is the subject of the current appeal.
- 2.2 Consultations were carried out in relation to the development and the Planning Inspectorate has been provided with copies of Consultation Responses received. In addition, representation letters in relation to the scheme were received and these have also been forwarded to the Planning Inspectorate.
- 2.3 Following evaluation of the amended plans it was considered that the scheme would not receive officer support as submitted, and this was communicated to the appellant's agent.
- 2.4 The application was determined under powers delegated to the Head of Planning and was refused on 23 March 2018 for the following reasons:
 1. The proposed development due to the contrived design, restricted plot width and forward siting in Winchfield Crescent would be prominent in the street scene and would conflict with the established pattern of development in the locality and as such would have an adverse impact

on visual amenities. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

2. The proposal fails to satisfy the minimum car parking requirements set out in the adopted Parking Standards and it has not been demonstrated that sufficient car parking would be provided on site to serve the proposed development in accordance with the Local Planning Authority's adopted standards. As such the proposed development could encourage the parking of vehicles on the public highway which could interrupt the free flow of traffic, detrimental to residential amenity and contrary to Policies the CS16, and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

3.0 PLANNING POLICY

- 3.1 The Development Plan for Havant comprises Havant Borough Local Plan (Core Strategy) 2011 and Havant Borough Local Plan (Allocations) 2014. The following policies are considered relevant to the consideration of this appeal:

Havant Borough Local Plan (Core Strategy) 2011

- 3.2 Havant Borough Local Plan 2011

- 3.3 In respect to the refusal reasons Policy CS16 which relates to High Quality Design and DM13 relating to Parking are relevant.

- 3.4 **Policy CS16** is relevant to both refusal reasons and sets out the Councils requirements for High Quality Design. The policy states (amongst other matters):

Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

1. Responds to, draws inspiration from and respects local context and:

c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;

e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

- 3.5 **Policy DM13** is relevant to refusal reason 2 and sets out states:

Development will only be permitted where it provides parking for cars, motor cycles and cycles in accordance with the relevant standards. Such parking provision must be appropriately located in relation to the development and be practical for its intended use.

- 3.6 The Planning Inspectorate have previously been forwarded copies of the relevant planning policies.

- 3.7 In addition to the Development Plan the Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 is relevant to the consideration of this appeal.

- 3.8 The Borough Design Guide SPD supplements Policy CS16 of the Havant Borough Core Strategy and aims to raise the standard of design across the borough. The document was adopted by the

council on 14 December 2011 and is a material consideration in the determination of planning applications.

- 3.9 Specific guidance in relation to Residential Development is provided Part 5 and para 5.03 advises that it is important that applications for new development should be of a design which engages with the streets public realm.

- 3.10 Additionally Paragraph 5.25 states:

Havant Borough Council acknowledges that backland and infill developments have a role to play in delivering the council's housing and development targets. However, many of these sites are situated amongst existing neighbours and can create an adverse impact. Development of backland and infill sites should not have an adverse effect on neighbouring properties, should maintain and enhance the existing character and quality of an existing area and should create pleasant and attractive places to live.

- 3.11 Paragraph 5.33 specifically relates to Infill Development and states:

Infill development should look to the immediate site context for reference and respect the layout and character of the surrounding area, looking to immediate neighbouring properties in the first instance. Where perimeter block development predominates, rear garden infill breaks the perimeter block structure and may reduce the security of internal areas and therefore, may be unacceptable.

- 3.12 Also of relevance to consideration of the appeal development is the Havant Borough Council Parking Supplementary Planning Document (SPD) which was adopted 27th July 2016 and sets out the standards for car and cycle provision in the borough. Table 4a of this document sets out the standards for vehicle parking for Dwelling Houses. The site does not lie within the defined town centres of Havant or Waterlooville and lies within an area where the standard for one bed dwellings is one space and for two and three bed dwellings the standard is 2 spaces.

4.0 PLANNING POLICY UPDATE

- 4.1 Since the decision date of 23 March 2018, there have been updates to the NPPF; the Council's Draft Local Plan; and the ('Definitive') Solent Recreation Mitigation Strategy was adopted on 1st April 2018. The consequence of these updates is as follows:

NPPF - 2018

- 4.2 The NPPF was updated on 24 July 2018 and with respect to this proposed development and appeal, continues to have a presumption in favour of sustainable development with the 3 overarching objectives:- economic, social and environmental. Chapter 4 identifies the importance of pre-application engagement. Chapter 12 on Achieving well designed places makes high quality buildings a fundamental target with good design that is acceptable to communities a key aspect of sustainable development.

- 4.3 Paragraphs 125 and 126 endorse the requirement for high quality design:

Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so, they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.

To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However, their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.

- 4.4 Paragraph 127 notes that decisions should ensure that developments “...add to the overall quality of the area.....are sympathetic to local character...including the surrounding built environment.....establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;....and optimise the potential of the site...” Furthermore paragraph 128 encourages early discussion between applicants and the LPA about design and emerging schemes to clarify expectations and reconcile issues. This reinforces Chapter 4 on Pre-application engagement and front loading that also encourages pre-application discussions.
- 4.5 Paragraph 174-177 relate to Habitats and Biodiversity and paragraph 177 confirms that: *The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.* This is relevant in relation to recent case law and the revised Solent Recreation Mitigation Strategy, which will be detailed below.
- 4.6 It is considered that the new NPPF continues to place and reinforces the emphasis on achieving good design and one of the key consideration in the determination of this appeal is design. Therefore, the new NPPF continues to be relevant to the appeal and the LPA are confident that the decision to refuse planning permission was made in accordance with the design guidance contained within the updated NPPF.

Draft Local Plan

- 4.7 With respect to the Local Plan, the Council is preparing a new Local Plan and consulted on a Draft (Regulation 18) version of the [Havant Borough Local Plan 2036](#) (HBLP 2036) between 8 January to 16 February 2018. Whilst the Plan has limited weight in decision-making at this stage in the plan preparation, the Draft Local Plan, it is of relevance in setting out the Council's direction of travel.
- 4.8 The Council's [Draft Havant Borough Local Plan 2036 Consultation Summary](#) indicates that consultation on a Pre-Submission Local Plan will take place in early 2019. With respect to this appeal the draft Design Policy E6 reiterates the Council's commitment to achieving high quality design that respects its context and new draft policy E7 seeks High Quality Design specifically for New Homes and sets out spatial criteria. These draft policies are copied in full in **Appendix B**.

'Definitive' Solent Recreation Mitigation Strategy

- 4.9 The application site falls within the 5.6km zone of Chichester and Langstone Harbours SPA which are large estuarine basins that contain extensive intertidal mudflats and sandflats that support internationally and nationally important numbers of overwintering and breeding bird species. Please find additional information about the characteristics of the area, the reasons for its designation, interest features and conservation objectives on the link to Natural England's website below:

<https://designatedsites.naturalengland.org.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK901101>

- 4.10 The potential effects of new residential development on the Chichester and Langstone Harbour SPA is outlined in a table contained within **Appendix C**. The evidence base to support the mitigation strategy can be found on the link below:
- <http://www.birdaware.org/research>
- 4.11 The development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. Policy DM24 of the Allocations Plan covers this issue and allows for a financial contribution to be made towards mitigation measures. At the time when this planning decision was made in January 2018 the Council was using the 'Interim' Solent Recreation Mitigation Strategy which was based on a financial contribution per dwelling (£181 + £9 monitoring + £20 admin) and hence £210 was secured with the appropriate Deed. This satisfied the then Strategy.
- 4.12 However, on 1st April 2018, the ('Definitive') Solent Recreation Mitigation Strategy replaced the 'Interim' and the 'Definitive' Strategy now applies to new residential development (this was as approved by Havant Borough Councils Cabinet on the 7th February 2018.) The updated Strategy uses a sliding scale to calculate the SRMS contribution for new residential development built within 5.6km of the coastline. As such, the contribution is now calculated based on the number of bedrooms per individual dwelling. In this case, the one-bedroom dwelling would require a contribution of £373.85. A credit of £190.00 is given in respect of the SDMP fee paid previously for this application (£210.00 was paid, but the admin fee of £20.00 is deducted in respect of dealing with the previous agreement). Therefore, a balance of £183.85 is required for the new agreement.
- 4.13 The updated Unilateral Undertaking has been completed and the uplift amount of £183.85 received. Copy of deed at **Appendix D**.
- 4.14 It should also be noted that following the Councils determination of this planning application the Court of Justice of the European Union (CJEU) issued a judgement (People over Wind, Peter Sweetman v Coillte Teoranta) which ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures (referred to in the judgement as measures which are intended to avoid or reduce effects) should be assessed within the framework of an appropriate assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage. PINS Note 05/2018 refers to the judgement.
- 4.15 In this case, the development is located within a zone of influence of an SPA, the Local Planning Authority undertook HRA screening which included the requirement for avoidance and mitigation measures in terms of the Interim Solent Recreation Mitigation Project (now Definitive Solent Recreation Mitigation Strategy). Payment at the then applicable rate was received during the course of the consideration of the application. As set out above this rate has now increased for decisions made after 1st April 2018 (including on appeal).
- 4.16 As a result of the above judgement and consequent update in case law, an Appropriate Assessment is also now necessary in accordance with Regulation 63 of the Habitats Regulations. Natural England are a statutory consultee on the Appropriate Assessment stage and the LPA have consulted Natural England on this appeal. Natural England have advised that :-

Your authority has measures in place to manage these potential impacts through the agreed

strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s).

A copy of this response is at **Appendix E**.

- 4.17 As the Inspectorate are now the competent determining authority in relation to this appeal, it will be necessary for the Inspectorate to determine whether this is satisfactory to address the new case law.
- 4.18 However, it is the opinion of the LPA that with the completion of the revised unilateral undertaking and uplift financial contribution in line with the requirements of the current Definitive Solent Recreation Mitigation Strategy, then all mitigation measures have been adequately secured.

5.0 REPRESENTATIONS

- 5.1 During the consideration of the planning application the subject of this appeal 6 representations were received. These representations have been forwarded to the Planning Inspectorate and are summarised in the Officers Report also submitted to the Planning Inspectorate.

6.0 PLANNING CONSIDERATIONS

- 6.1 The planning application was refused for two reasons and these are considered in order below:

1st Reason - The proposed development due to the contrived design, restricted plot width and forward siting in Winchfield Crescent would be prominent in the streetscene and would conflict with the established pattern of development in the locality and as such would have an adverse impact on visual amenities. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6.2 The proposal as originally submitted was for an attached 2 bed dwelling. During the course of the application the proposal was amended to a small one bed end of terrace dwelling situated in the side garden of 1 Dockenfield Close. The proposed dwelling would front onto Dockenfield Close and flank onto Winchfield Crescent
- 6.3 The area comprises medium to high density residential development of a broadly similar 2 storey terraced form and generally comprised of standard linear development with private rear gardens. The character is one of dwellings set back from the highway with relatively open frontages and grassed highway verges creating a spacious setting with a strong building line. There have been examples of infill developments within the immediate area, however these have been designed to assimilate with the siting, scale and form of the older dwellings so that they integrate into the area.
- 6.4 The proposed dwelling would be situated at the end of a terrace of four properties with a built frontage, before stepping, of approximately half that of the host dwelling. The narrow frontage and stepping in would contrast significantly with the dwellings of the terrace, and the linear character of the adjacent development. It would not reflect the design and form of the existing terrace and is considered to be of a contrived and substandard design to the existing terrace with the differences appearing more noticeable on a site which would be prominent on the corner location.
- 6.5 Policy CS16, in seeking High Quality Design, requires developments to respect their local context and states specifically at 1.c) that "Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;". It is considered that the proposed development fails this criteria in that it neither respects the building line of the area nor the plot widths.

- 6.6 When taking into consideration the siting and form of the proposed dwelling, it would be incongruous and appear cramped in the street scene, which would result in the development having an adverse impact on the spatial character and setting of the street scene. It is noted that the application does not have any scaled street scenes or perspective drawings showing how the building would appear in the context of neighbouring properties and perspectives, suggesting there is no evidence available which would allay the concerns above, and indicates that the relationship between the buildings and their context has not been fully considered.
- 6.7 Taking these factors together, it is considered that the development would appear out of keeping with the character of the area. As a result, the development would fail to achieve a successful transition within the established pattern of development, spatial characteristics and setting of the street scene. It is considered that the proposed development would mark a perceptible change to the existing characteristics of this prominent corner site, which plays a significant role in the character of the area, introducing a more intensely developed built form that would jar with the prevailing sense of openness on this corner section of Dockenfield Close where it meets Winchfield Crescent.
- 6.8 It is therefore considered that the proposed design does not relate sympathetically either to the local area or surrounding properties and would appear cramped, resulting in the scheme having an adverse impact on the character and appearance of the area. In weighing the balance to be struck between achieving additional housing on a site within the urban area, and protecting the environmental qualities of that area, it is considered that the harm that would be caused to the character and appearance of the area would outweigh the benefits of providing a new dwelling. The proposal is therefore contrary to Policy CS16 of the adopted Havant Borough Local Plan (Core Strategy) 2011, and the relevant paragraphs of the Havant Borough Council Borough Design Guide 2011 which states that the design of new development needs to ensure engagement with the street and public realm and paragraph 127 of the NPPF.
- 6.9 The development would mark a significant change to the existing uniform characteristics of this part of Dockenfield Close, introducing a narrow-fronted dwelling that sits forward of the adjacent terrace in Winchfield Crescent, that is distinct from the prevailing character of the area. Whilst it is acknowledged the scale of development is modest, having due regard to the context of the site it is considered the proposal would be harmful to the established pattern of the existing street scene resulting in an adverse impact on visual amenities. As such the proposal is contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6.10 **2nd Reason - The proposal fails to satisfy the minimum car parking requirements set out in the adopted Parking Standards and it has not been demonstrated that sufficient car parking would be provided on site to serve the proposed development in accordance with the Local Planning Authority's adopted standards. As such the proposed development could encourage the parking of vehicles on the public highway which could interrupt the free flow of traffic, detrimental to residential amenity and contrary to Policies the CS16, and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012**
- 6.11 The adopted parking standards require a minimum of 1 space for a one bed dwelling and 2 parking spaces for a 2 bed dwelling unless in one of the Borough's recognised accessible locations of Havant or Waterlooville town centre. Whilst the site is in close proximity to a bus route, it is however not within a town centre and not a sufficiently accessible location to justify a relaxation of the parking requirement. The standard would be provided for the proposed dwelling but the required parking for the existing dwelling would not be provided, and the ability to do so would be lost. As number of properties in the area do not have on site parking, the existing layby appears to be well used as is the grassed verge along Winchfield Crescent.

- 6.12 If the applicant had wanted to rely on on-street capacity to justify a lesser parking provision, then in accordance with paragraphs 4.28 to 4.33 of the Parking SPD a Parking Survey should have been undertaken and provided. In the absence of such a survey, and the surrounding parking congestion as evidenced by verge parking, it is considered that the lack of parking would give rise to indiscriminate parking on the adjacent highway. Residents could be faced with searching for a space and parking further from their property. As such there would be an adverse impact on residential amenity.
- 6.13 Having regard to these concerns, it is considered that the development would have a significant adverse impact on the amenities of the neighbouring properties. As such the proposal would be contrary to Policy DM13 and have a detrimental effect contrary to criterion 1 e) of Policy CS16 and of the Havant Borough Local plan (Core Strategy) 2011, and paragraph 128 of the NPPF.

7.0 COMMENTS ON APPELLANTS STATEMENT OF CASE

- 7.1 The Council's case is set out above and the following comments are made by way of clarification or amplification only where issues not addressed above are introduced.
- 7.2 Paragraph 5.2 refers to other relevant decisions, and whilst located nearby these properties do not occupy corner plots, and have similar widths of frontage to the adjacent properties. The context in terms of relationship with adjacent dwellings, position in the street scene and site characteristics differ, and are therefore not directly comparable.
- 7.3 Paragraph 7.6 to 7.13 refers to design and the visual impact of the development. The visual impact relates to the form of the development and the use to which it is put. The visual impact of an extension which reads as part of an existing dwelling is different to a separate dwelling, where a separate plot is perceivable. As set out in the Council's statement the narrow frontage and large stepping back of the plots and associated dwelling is in stark contrast with the established pattern of development. Whilst such a form might be more appropriate for an extension to an existing property, the current application is for a new dwelling, with a separate frontage and plot, which would be markedly out of keeping with the existing character and prominent in the street scene. The NPPF 2018 advises in paragraph 127 that decisions should ensure that developments *"....add to the overall quality of the area.....are sympathetic to local character...including the surrounding built environment.....establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;....and optimise the potential of the site..."* Reinforcing and need for good design and recognising that poor design erodes the quality of the built environment.
- 7.4 Regarding paragraph 7.15, and parking, the submitted planning application forms indicated the property to be served by one parking space (garage), which is served by a dropped kerb, therefore the statement that the property has no onsite parking is confusing.
- 7.5 In respect to 47 Dockenfield Close, Havant, PO9 3ST the decision date is the 24 December 2015 and predates the Havant Borough Council Parking SPD which was adopted in July 2016, and sets out minimum standards and requires justification (paragraphs 4.28 to 4.33 of the Parking SPD) for a reduced provision to be supported by a Parking Survey demonstrating the availability of on street parking in the vicinity of the appeal site.

8.0 CONCLUSION

- 8.1 In conclusion the LPA consider that the proposal for the erection of a 1 bedroom end of terrace dwelling would not integrate with or respond positively to the character and appearance of the surrounding area in terms of layout, scale or design, conflicting with the established pattern of development and spatial characteristics of the vicinity. The proposed size of the new dwelling would

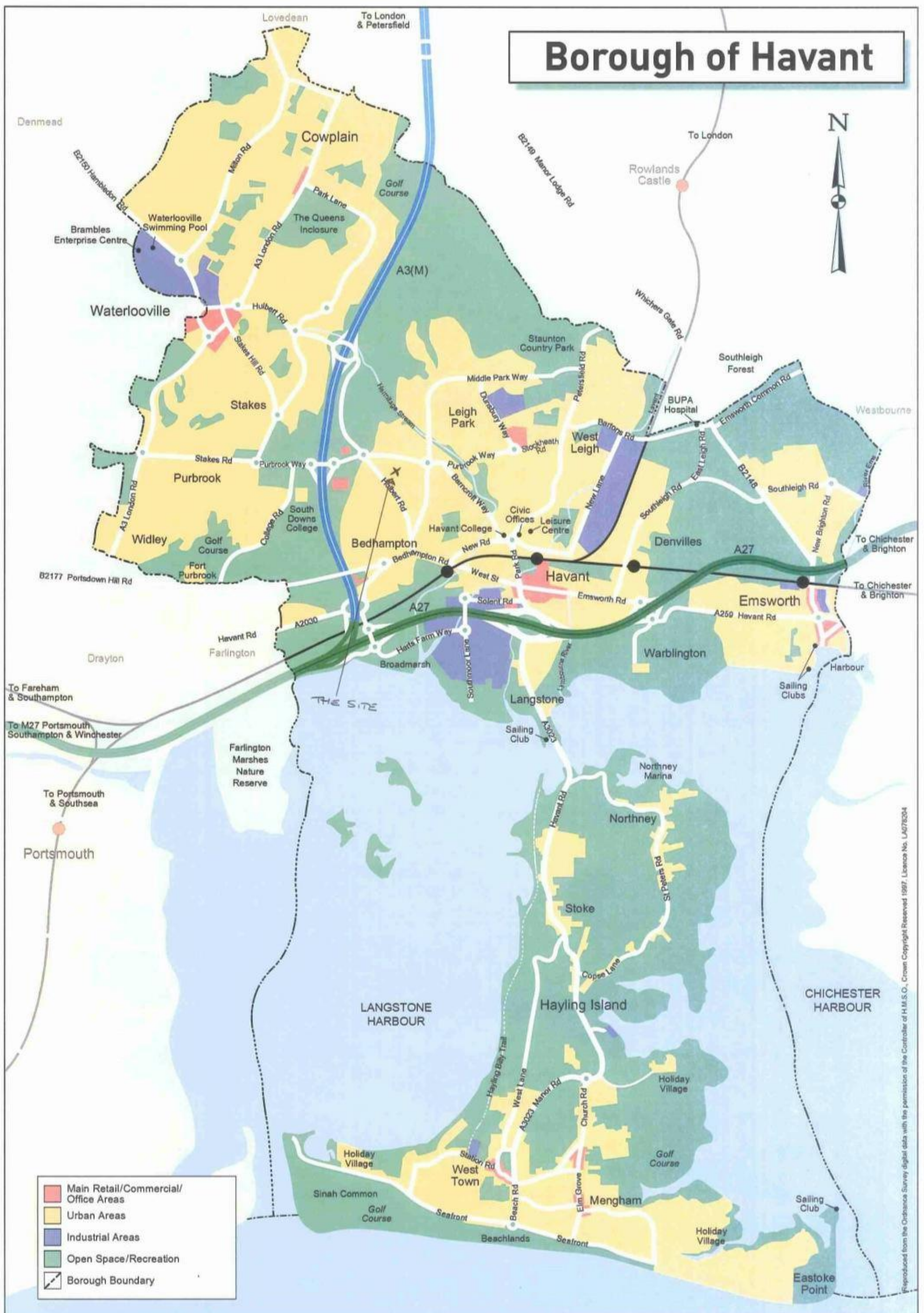
create a cramped, incongruous feature and have an adverse impact on the setting and spatial characteristics of the street scene.

- 8.2 Additionally Development of the site in the manner proposed would not provide adequate provision of car parking in accordance with the Local Planning Authority's adopted standards and would therefore encourage the parking of vehicles on the public highway, leading to indiscriminate parking, detrimental to highway amenity.
- 8.3 The proposed development is therefore considered to be contrary to the NPPF, policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the adopted Havant Borough Design Guide SPD 2011. The Inspector is therefore respectfully requested to dismiss this appeal.

APPENDICES

- (A) Borough Map and 1:1250 Location Plan
- (B) Emerging Policies E6 and E7 from Draft Havant Borough Council Local Plan 2036
- (C) Potential effects on SPA of residential development
- (D) Copy of uplift Deed for Solent Mitigation Strategy
- (E) Natural England's consultation response to current appeal, dated 18 October 2018.

Borough of Havant



the authors are not aware of any other studies that have examined the relationship between the use of the Internet and the use of the Internet for health-related purposes.



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1 Dockenfield Close



Scale: 1:1250

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E6 | High Quality Design

- 5.57 This policy would update and replace Policy CS16 (High Quality Design) in the Core Strategy and Policy DM21 (Shopfronts, Signs, Security Shutters and Advertisements) of the Allocations Plan. It also covers aspects of Policy CS8 (Community Safety) of the Core Strategy.

Why this policy is needed

- 5.58 The NPPF makes clear that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. This policy sets out the Borough's place-making objectives in terms of delivering high quality design, enhancing connections between people and places and integrating new development with the Borough's high quality natural, built and historic environment.
- 5.59 The Borough has a diverse built environment, but in many cases it will be appropriate to forge new places particularly where areas suffer from neglect and lack of identity. The policy also sets out how the Council aims to create safe and accessible environments so that crime and disorder, and the fear of crime²⁵, do not undermine the quality of life for the Borough's residents.
- 5.60 Havant and Waterloo Town Centres and Hayling Island Seafront in particular lack identity and/or suffer from neglect and have poor connections to the surrounding areas. The Council therefore recognises the importance of good design as part of new development in order to forge new places, as well as responding to and enhancing its natural assets and more attractive built features.
- 5.61 Using Active Design principles²⁶ new development can encourage greater levels of daily physical activity in and around buildings and spaces, and promote healthy communities. Safe and convenient connections for walking and cycling within and around development can also help people to take responsibility for their own health and wellbeing. This policy indicates how appropriate supporting infrastructure can be integrated as part of new development to support physical activity and meet the needs of different users. Policy E7 (Health and Wellbeing) also sets out how new dwellings will be expected to contribute towards improved health and wellbeing of occupants.

E6 | High Quality Design

Planning permission will be granted for development that:

- a. Is designed to a high standard, which helps to create places where people want to live, work, visit and enjoy;
- b. Demonstrates that account has been taken of local design statements, neighbourhood plans and the design elements of conservation area appraisals which identify local character and distinctiveness;
- c. Demonstrates that it:
 - i. Responds to, and draws inspiration from its local context and where appropriate, forge a new sense of place through design;
 - ii. Considers characteristics such as heights, massing, existing building lines, plot widths and depths and proportions of building features such as windows and doors;

²⁵ Department for Communities and Local Government (2017) Chief Planning Officer letter – security and planning

²⁶ Sport England (2015) Active Design. Planning for health and wellbeing through sport and physical activity

<https://www.sportengland.org/media/3426/spe003-active-design-published-october-2015-email-2.pdf>

- iii. Identifies and positively responds to existing natural and built features including listed buildings, conservation areas and other heritage assets within or close to the development;
- iv. Makes a positive contribution to the overall appearance of the street scene and wider area by use of good quality materials of appropriate scale, profile, finish, colour and proven weathering ability;
- v. Produces a positive relationship with and between existing and proposed buildings, streets and spaces;
- vi. Avoids over-dominance and not cause unacceptable harm to the amenity of neighbours through overshadowing, massing, the loss of privacy, outlook, overlooking, and through odour, noise or disturbance; and
- vii. Plans for adverts, signage, lighting and other security features to be fit for purpose, fully integrated with the design, and do not adversely affect the visual amenity of the street scene or the amenity of neighbours.

d. In addition, all non-householder development which will create new floorspace is expected to:

- i. Ensure the layout is appropriate in density, scale, and appearance and sufficiently flexible to respond to changing uses, lifestyles and demography;
- ii. A setting for any new buildings is provided which is in keeping with the surrounding area
- iii. Reduce opportunities for crime and anti-social behaviour and contribute to the creation of safe and inclusive communities;
- iv. Consider new technologies and construction methods as part of building design, taking into account sustainability and resource efficiency;
- v. Integrate with existing local landscape features and characteristics of the area protecting and enhancing local wildlife, biodiversity and ecology;
- vi. Be well connected to and integrate with the local area by linking to existing pedestrian and cycle routes and encourages people to use public transport where possible;
- vii. Ensure that it does not undermine the development potential of adjacent sites;
- viii. Maximise opportunities for mixed uses and the co-location of facilities, particularly in town and district centres in accordance with the design principles set out by Policies KS4 and KS5;
- ix. Promote and encourage healthy lifestyles and neighbourhoods in line with Policy E1.
- x. Incorporate safe, secure and convenient provision for cycle storage and refuse and recycling facilities which is integrated within the overall design in line with Policy IN3;
- xi. Ensure safe and convenient access for all in the public realm, including the elderly, the disabled and less able; and
- xii. Integrate and design affordable housing in a way that is indistinguishable from market housing.

How the policy works

5.62 The criteria set out under section c of the Policy E6 apply to all types of development including (but not limited to) the following householder and other minor developments and external alterations to existing buildings:

- Extensions
- Garages, car ports, outbuildings, sheds and greenhouses
- Boundary walls, fences or gates
- Porches
- Satellite dishes/radio aerials
- Dormer windows or other alterations to the roof

- Conversions and changes of use
- Shopfronts
- Signage
- Lighting

- 5.63 The Council recognises it is important to ensure that new signs do not result in a cluttered appearance on an individual building or on the wider street scene. Signs must also be of an appropriate size and scale for the building and its surroundings. Security shutters and other features can also create significant visual intrusions in the street scene. It is important that proposals are fit-for-purpose and are fully integrated within the design.
- 5.64 Illumination, particularly in or adjacent to conservation areas, heritage assets and in or adjacent to or visible from Chichester Harbour AONB, can detract from the overall appearance of a building or area. Signage in or close to the AONB should also have regard to the Policy E11 and the Chichester Harbour AONB SPD (July 2017).
- 5.65 In addition to section c, the criteria set out under section d are relevant to developments which include the creation of one dwelling or more and any new commercial floorspace. It is recognised that the criteria in section d are a guide and development will not be expected to fulfil requirements which are not relevant to the scheme in question.
- 5.66 Constructive pre-application advice is a valuable tool in guiding and progressing development proposals, prior to their submission. The Council's procedure for pre-application advice is set out under the planning pre-application advice guidance note which can be found on the Council's web site. For major proposals, developers will also be expected to engage with Councillors, key stakeholders and the public on major proposals through the Council's Development Consultation Forums. Where appropriate, the local planning authority will also consult the Design Review Panel on development proposals.
- 5.67 At pre-application stage, consideration will be given to the site's opportunities and constraints in light of the policies in the Adopted Local Plan; identifying any aspects which may need to be resolved, and relevant material planning considerations and constraints. Advice will be provided on planning obligations and the appropriate documents which would need to be submitted.
- 5.68 The Borough Design Guide Supplementary Planning Document (SPD)²⁷ complements Policy E6 and provides detailed guidance to raise the standard of design across the Borough. The SPD sets out what developers are expected to deliver in terms of the design of new development, and how the distinctive character and qualities of the Borough could be enhanced through development. Designated Conservation Areas within the Borough also have Character Appraisals and Management Plans, which provide detailed information on these areas which should be given regard when proposing development in line with Policy E9 (Heritage).
- 5.69 The Council is supportive of new technologies and construction methods integrated as part of new development, including Passivhaus design principles in line with Policy E8 (Low Carbon Design). The sustainability and resource efficiency will be considered in the overall design and layout of schemes, including ensuring that where appropriate schemes maximise solar gain and minimise the need for energy heating.

²⁷ The Council intends to consult on a revised Design SPD alongside the Pre-Submission HBLP2036.

E7 | High Quality New Homes

- 5.70 This policy would replace and update Policies CS16 (High Quality Design) and CS9 (Housing) of the Core Strategy.

Why this policy is needed

- 5.71 The NPPF highlights that high quality design and a good standard of amenity should be sought through new development. This policy sets out the quality standards that new housing in the Borough are expected to achieve and how the needs of different groups will be met.
- 5.72 National policy also recognises that local planning authorities should create a high quality built environment and address barriers to improving health and wellbeing. This policy therefore builds on Policy E1 (Health and Wellbeing) to provide opportunities for people to live healthier lives. It requires new homes to have appropriate space for occupants to enable them to have a good quality of life and healthy lifestyle.

E7 | High Quality New Homes

Planning permission will be granted for new homes that meet the following criteria:

- a. Sufficient private and/or communal outdoor amenity space is provided proportionate to the number of bedrooms;
- b. New homes are designed to meet appropriate internal space standards²⁸ in order to provide sufficient private and/or communal space for basic daily activities and needs;
- c. Developments of 10 houses or more (gross) meet enhanced accessibility and adaptability standards on 30% of the proposed dwellings across all tenure types to ensure that new homes are suitable for a wide range of occupants²⁹; and
- d. Developments of 50 homes or more (gross) meet wheelchair accessibility standards³⁰ on 2% of the total proposed dwellings as part of the affordable housing provision.

How the policy works

- 5.73 All new homes should benefit from outdoor amenity space of a sufficient size and quality. The updated Borough Design Guide Supplementary Planning Document (SPD)³¹ will set out further guidance on the type and form of outdoor amenity space that should be provided alongside new homes. It should be designed to ensure there is no undue loss of privacy or overlooking of adjoining and neighbouring properties in line with Policy E6 (High Quality Design) and Policy E20 (Amenity and Pollution).
- 5.74 Building to appropriate space standards will ensure new homes provide sufficient space for basic daily activities and needs. The Council will therefore require all residential development to meet the nationally described space standard (or any subsequent Government standard) for bedrooms, storage, and internal areas, and associated technical requirements. The Council's starting point will be for all new homes, including housing conversions, to meet the appropriate space standards,

²⁸ Appropriate space standards are achieved by meeting the nationally described space standard, or any subsequent Government standard.

²⁹ Enhanced accessibility and adaptability standards are achieved by meeting M4(2) of the Building Regulations 2015, or any subsequent Government standard.

³⁰ M4(3) of the Building Regulations 2015, or any subsequent Government standard.

³¹ The Council intends to consult on a revised Design SPD alongside the Pre-Submission HBLP2036.

unless it can be shown that the standards are not practicable. For example, an exception may be made where works needed to achieve the standards would adversely affect the significance of a heritage asset or would require impractical changes to a building earmarked for conversion.

- 5.75 The Council recognises that innovative housing solutions such as the emerging 'build for rent' sector have a role in addressing specific housing needs in the Borough. These types of housing models can involve the development of high density housing in town centre locations. To ensure good standard of living accommodation and to support the health and wellbeing of occupants, the same space standards will be required as mainstream housing. Where developers wish to deliver an alternative approach, this will need to be fully justified. Referring to, for example, good design practice and case studies, applicants must demonstrate how the proposed operating models can be successful in providing residents with a high quality of life.
- 5.76 Housing is for different groups including families, children, older people and disabled residents by offering functional and adaptable spaces. On major housing developments of 10 dwellings or more, 30% of new houses will be required to meet as a minimum Part M4(2) of the Building Regulation to ensure that new homes are suitable for a wide range of occupants, including older people for which there is an identified need. For the M4(2) standard, the policy makes particular reference to houses as it is understood this housing type is more suitable for the delivery of this requirement.
- 5.77 Wheelchair accessible homes must be provided as part of the affordable housing provision where the local authority is able to allocate or nominate a person to live in that dwelling. In the case where there is a locally identified need, 2% of the overall housing provision on larger housing developments (50 dwellings or more) should be designed to meet the wheelchair accessible homes standard. However, it is acknowledged that there may be site specific practical reasons where it may not be feasible to meet this requirement.
- 5.78 Material weight will be given to development proposals where a substantial proportion of homes meet the enhanced accessibility and adaptability standards. In such cases, 50% of the overall housing provision should meet the enhanced accessible and adaptable standards. This could include wheelchair accessible dwellings (over and above the 2% policy requirement) as part of the affordable housing provision where there are locally identified needs. Applicants are encouraged to explore how best to meet locally identified needs in consultation with the local authority accordingly.
- 5.79 New houses designed to the enhanced accessibility and adaptability standards should be proportionally distributed across all tenure types, evenly spread across the site, and integrated with the rest of the development in line with Policy E6 (High Quality Design). For major housing schemes, developers should submit a schedule of accommodation which identifies the specific standard under M4 of the Building Regulation each home in the proposed development will meet.
- 5.80 The accessibility and adaptability standards will usually be secured via a pre-commencement condition when granting planning permission. To ensure compliance with the specific standards, the local planning authority should be provided with plans certified for compliance and/or written confirmation from an appointed building control body that the specifications for each dwelling meet the relevant standard.

Appendix C

The potential effects of new residential development on the Chichester and Langstone Harbour SPA can be summarised as follows:

Potential Effect	Site Conservation Objective(s)	Qualifying features	Potential for Impact?	Relevant Mitigation Measures
Decrease in survival rates and populations of over-wintering birds due to increase in disturbance, caused by increasing human population (in combination with other plans and projects)	Maintain or restore the population of each of the qualifying features. Maintain or restore the distribution of the qualifying feature within the site.	All for Chichester and Langstone Harbours SPA.	Yes. Indirect impact. Without mitigation, bird populations would be reduced and/or re-distributed by increased numbers of visitors leading to increased disturbance	Bird Aware Solent Strategy The Strategy proposes:- • a team of 5-7 coastal rangers to advise people on how to avoid bird disturbance, liaise with landowners, host school visits, etc.; • communications, marketing and education initiatives; • initiatives to encourage responsible dog walking; • preparation of codes of conduct for a variety of coastal activities; • site-specific projects to better manage visitors and provide secure habitats for the birds; • providing new/enhanced greenspaces as an alternative to visiting the coast;

Further details in relation to the Bird Aware Solent Strategy can be viewed via the following web address:

<http://www.birdaware.org/CHttpHandler.ashx?id=29372&p=0>

11th OCTOBER

THIS UNILATERAL UNDERTAKING is made by DEED on the [DAY] of [MONTH] 20[18]

AND GIVEN BY

~~[FULL COMPANY NAME] incorporated and registered in England and Wales with company number [NUMBER] whose registered office is at [REGISTERED OFFICE ADDRESS] Owner~~

~~[FULL NAME] of [FULL ADDRESS] Owner~~

MR NIGEL ROSS STONE
of 18 Belmont Grove,
Bedhampton, Havant, PO93PV

TO

The Council of ~~The~~ Borough of Havant of Public Service Plaza Civic Centre Road
Havant PO9 2AX

BACKGROUND

- (A) The Council is the local planning authority for the purposes of the Act for the area in which the Land is situated.
- (B) The Owner owns the Land and has made the Planning Application and is proposing to carry out the Development.
- (C) The Owner gives this undertaking to perform the obligations set out in this deed.
- (D) The Owner has submitted an appeal number APP/X1735/W/18/3201013 against the Council's refusal to grant planning permission for the Application and the Owner enters into this deed conditionally upon the Planning Permission being granted on appeal.

AGREED TERMS

1. INTERPRETATION

The following definitions and rules of interpretation apply in this deed.

1.1 Definitions:

Act: the Town and Country Planning Act 1990

Administration Fee: the sum of £20

Commencement of Development: the date on which any material operation (as defined in section 56(4) of the Act) forming part of the Development is begun save that (for the purposes of this Agreement and for no other purpose) operations consisting of site clearance, demolition work, archaeological investigations, investigations for the purpose of assessing ground conditions, site survey works, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements and "Commence Development" and similar expressions shall be construed accordingly

Contribution: £337.00 or the sum calculated in accordance with the formula set out at Appendix 1 to this deed (whichever is greater) as a contribution towards measures to mitigate the impacts of the Development on the Solent Special Protection Areas in accordance with the Solent Recreation Mitigation Strategy dated 1 April 2018 (index linked in accordance with the figures supplied to the council by the Solent Recreation Mitigation Partnership).

Development: the development of the Land described in the Planning Application.
Land: Land adj. 1 Dockenfield Close, Havant, PO9 3ST and shown edged red on the plan annexed to this deed.

Monitoring Fee: the sum of £16.85 calculated as 5% of the Contribution.

Planning Application: an application for planning permission registered by the Council on 23 October 2017 under reference number APP/17/01136.

Planning Permission: means the planning permission which may be granted for the Development pursuant to an appeal made under section 78 of the Act under reference APP/17/01136.

- 1.2 A person includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.3 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.4 A reference to any party shall include that party's personal representatives, successors and permitted assigns.
- 1.5 Unless the context otherwise requires, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 1.6 Unless the context otherwise requires, a reference to a statute or statutory provision shall include any subordinate legislation made from time to time under that statute or statutory provision.
- 1.7 References to clauses are to the clauses of this deed.
- 1.8 Where an obligation falls to be performed by more than one person, the obligation can be enforced against every person so bound jointly and against each of them individually.

2. STATUTORY PROVISIONS

- 2.1 This deed constitutes a planning obligation for the purposes of section 106 of the Act, section 111 of the Local Government Act 1972 and any other enabling powers.
- 2.2 The obligations contained in clause 3 of this deed are planning obligations for the purposes of section 106 of the Act and are entered into by the Owner with the intention that they bind the interests held by those persons in the Land and their respective successors and assigns.
- 2.3 This deed shall have effect from the date hereof.
- 2.4 The obligations contained in clause 3 of this deed are enforceable by the Council in accordance with section 106 of the Act.

3. COVENANTS WITH THE COUNCIL

The Owner covenants with the Council to pay the Contribution, Administration Fee and Monitoring Fee to the Council prior to commencement.

4. DETERMINATION OF DEED

This deed shall be determined and have no further effect if the Planning Permission:

- (a) expires before the Commencement of Development;
- (b) is varied or revoked other than at the request of the Owner, or
- (c) is quashed following a successful legal challenge.

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

[FOR INDIVIDUALS]

Executed and delivered as a

deed by [INSERT NAME]
NIGEL ROSS STONE
in the presence of:

Witness signature

Witness name

Witness address

Witness occupation

[REDACTED]

[REDACTED]

JENNIFER HOWARD
HANT BOROUGH COUNCIL
THE PLAZA, CIVIC CENTRE ROAD
HANT, HAMPSHIRE.
CALLISIOG ASSISTANT.

[FOR COMPANIES OPTION 1]

Executed and delivered as a deed by
[COMPANY NAME]

acting by two directors

[INSERT DIRECTORS NAME]

Director

[INSERT DIRECTORS NAME]

Director

[FOR COMPANIES OPTION 2]

Executed and delivered as a deed by
[INSERT COMPANY NAME] acting by
[INSERT DIRECTORS NAME], by a director

.....

Director

in the presence of:

Witness signature

.....

Witness name

.....

Witness address

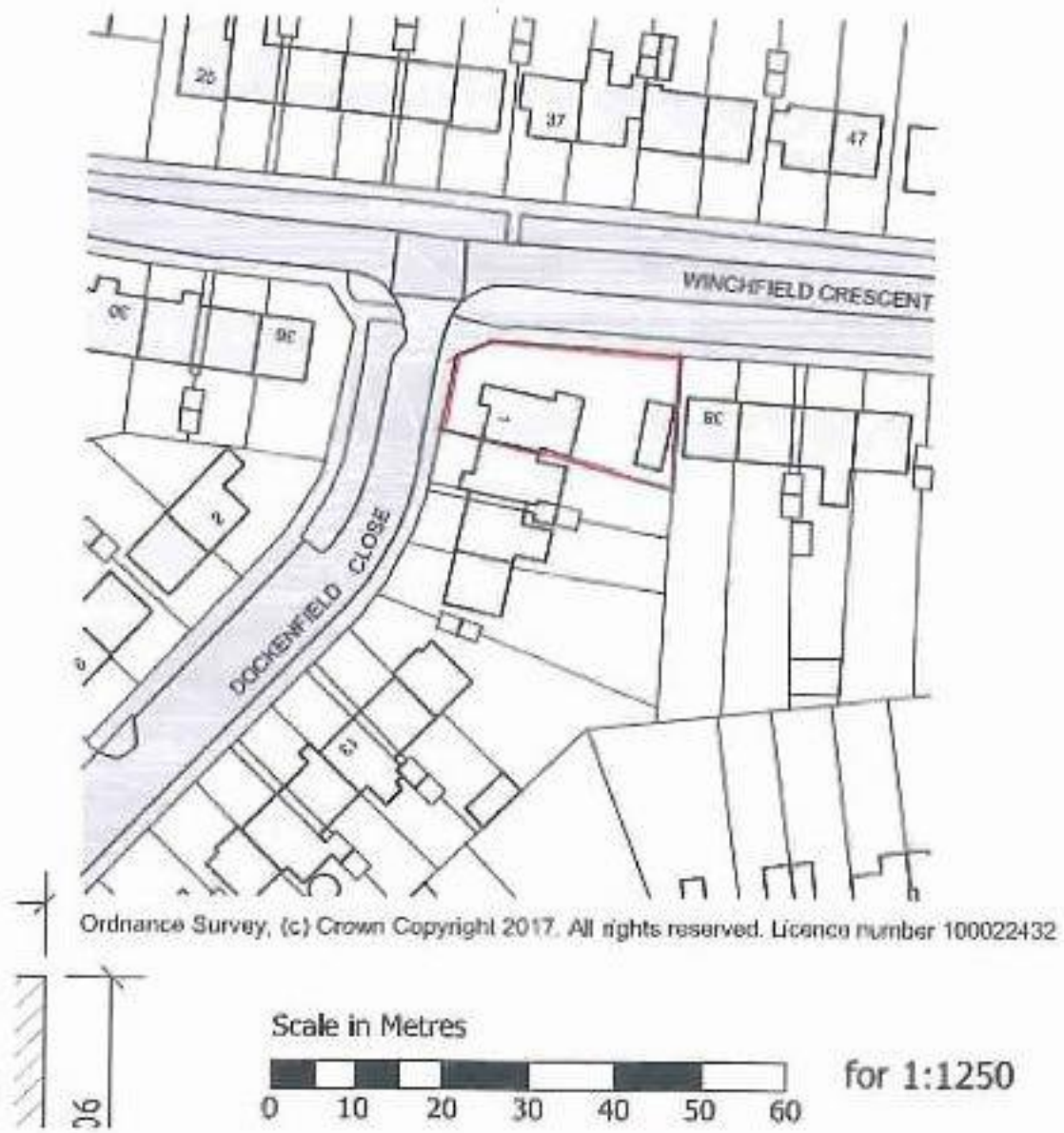
.....

.....

Witness occupation

.....

LOCATION PLAN



APPENDIX 1

Contribution formula and rates

In this deed the Contribution is calculated in accordance with the following formula:

$$\text{Contribution} = (A \times B) \times C$$

Where:

- A = the number of dwellings at the applicable bedroom rate given in the table below
B = the applicable bedroom rate given in the table below determined in accordance with the number of bedrooms per dwelling
C = the monitoring fee calculated at 5% of the total of A X B

Solent Mitigation Contribution Rates (index linked)	
No of Bedrooms	Amount
1	£337
2	£487
3	£637
4	£749
5+	£880

Date: 18 October 2018
Our ref: 260575
Your ref: APP/17/01136



Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
Hampshire
PO9 2AX

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mrs Haywood,

Planning consultation: Construction of 1No. 1bed dwelling with associated refuse and cycle storage, parking and landscaping.

Location: Land adj. 1 Dockenfield Close, Havant, PO9 3ST

Thank you for your consultation on the above dated 03 October 2018 which was received by Natural England on 03 October 2018

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

DESIGNATED SITES [EUROPEAN] – FURTHER INFORMATION REQUIRED

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s).

Notwithstanding this, Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the [European Site's conservation objectives](#) and in accordance with the Conservation of Habitats & Species Regulations 2017.

This is because Natural England notes that the recent [People Over Wind Ruling](#) by the Court of Justice of the European Union concluded that, when interpreting article 6(3) of the Habitats Directive, it is not appropriate when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site. The ruling also concluded that such measures can, however, be considered during an appropriate assessment to

determine whether a plan or project will have an adverse effect on the integrity of the European site. Your Authority should have regard to this and may wish to seek its own legal advice to fully understand the implications of this ruling in this context.

Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017, Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Ben Newton
Consultations Team

Natural England offers the following additional advice:

Landscape

Paragraph 109 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute Guidelines for Landscape and Visual Impact Assessment](#) for further guidance.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 9, 109 and 152 of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 118 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).



APPEAL BY Mr T STONE AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR Construction of 1No. 1bed dwelling with associated refuse and cycle storage, parking and landscaping on Land adj. 1 Dockenfield Close, Havant, PO9 3ST

Planning Inspectorate Reference: APP/X1735/W/18/3201013

Local Planning Authority Reference/17/01136

SUGGESTED CONDITIONS

If the Inspector is minded to grant planning permission for the development, then the LPA would suggest the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site plan/proposed elevations CFA/FULL/BS dated 10/01/18
Existing Elevations CFA/FULL/BS dated 10/10/17
Proposed floor plans CFA/FULL/BS dated 10/01/18
Reason: To ensure provision of a satisfactory development
- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018
- 4 No above ground construction works shall take place until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works. The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is

otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 6 No above ground construction works shall take place until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.
Reason: In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.
- 7 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the existing dwelling and development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. 2018.
- 8 No above ground construction works shall take place until plans and particulars specifying the alignment, type,height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.
- 10 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order, no extension or outbuilding permitted by Classes A, B, C, D or E of Part 1 of Schedule 2 to the 2015 Order (as amended) shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.
Reason: To protect the amenity of the area and to secure satisfactory levels of private amenity space for future residents and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

Reason: To ensure provision of a satisfactory development