
Appeal Decision

Site visit made on 6 December 2016

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

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

Decision date: 30 January 2017

Appeal Ref: APP/X1735/W/16/3159212

Park Lodge, Hooks Lane, Hampshire, Havant PO9 3DT

- 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 C Greenhouse against the decision of Havant Borough Council.
 - The application Ref APP/15/01414, dated 21 December 2015, was refused by notice dated 2 September 2016.
 - The development proposed is the construction of two semi-detached houses.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on the (a) character and appearance of the area, (b) the living conditions of the occupiers of the proposed dwellings, having regard to the provision of private outdoor space, noise and disturbance, and outlook, (c) car parking and (d) the Solent Special Protection Area.

Reasons

Character and appearance

3. The appeal site comprises an open piece of land located adjacent to a dwelling at Park Lodge. It faces onto a rugby ground and lies close to a seating stand for Havant Rugby Club. A footway separates the site from the stand and from a further sports/recreational building to the rear. The surrounding area mainly consists of terraced and semi-detached dwellings which are generally set back from the road with frontage garden areas including car parking and long rear gardens. Despite the mixture of sports/recreational and residential uses, there is a spacious character and appearance to the area which is derived from the openness of the rugby ground and the garden spaces existing about the dwellings in the area.
 4. The pair of semi-detached dwellings would be similar in design to the dwelling at Park Lodge and would face onto the rugby ground. However, the dwellings would extend across virtually the whole width of their plots and there would be limited amount of garden space to the rear. In particular, the rear garden areas containing patios would only be about 4m in depth. Consequently, the
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development would appear cramped which would be visually intrusive given the spacious context of the site.

5. For these reasons, the development would harm the character and appearance of the area. Accordingly, the proposal would be contrary to policy CS16 of the Havant Borough Core Strategy (CS) 2011, which amongst other matters requires development to be of a high standard, for the proposal's design to respond and respect local context, including the locality's characteristics.

Living conditions

6. The proposed dwellings would have front gardens facing onto the recreational ground beyond a footway. The submitted details show fences of a height which would allow views into front gardens from people on the footway. There would also be some views across these frontage areas from spectators in the neighbouring stands when there are matches to watch. Such a siting of the space for the dwellings would limit its usefulness for the occupants of the dwellings. The garden/patio areas to the rear would provide some privacy for occupants to the rear but the areas would be small by reason of their limited size. For all these reasons, the provision of private outdoor space would be inadequate and the living conditions of the occupiers of the proposed dwellings would be adversely affected.
7. The dwellings would be located close to the spectator stand where there is a public address system. There could be significant noise and disturbance from this and activity associated from the use of rugby club facilities, especially on match days. No noise assessment has been submitted to assess the impact of the activities at the rugby club on the occupiers of the dwellings. It is appreciated that no complaints have been made from the occupiers of Park Lodge but the proposed dwellings would be closer to the spectator stand. Therefore, I am not persuaded that the provision of housing in this location would result in an acceptable relationship between the existing sporting/recreational facilities and the future residents of the two dwellings.
8. The dwellings would be sited alongside some spectator stands which are open to allow views. By reason of this and the separation of the stands from the appeal site by a footway, the building would not be overbearing and therefore, there would be no significant loss of outlook for the occupiers of the proposed dwellings.
9. The proposed car parking for the two dwellings would be adjacent to the rear of Park Lodge which would involve some re-arrangement of parking facilities for that property. Nevertheless, the daily use of the car parking spaces would not be excessive for two dwellings and thus, any additional noise and disturbance would not be significant.
10. In summary, there would be inadequate provision of private outdoor space and the location of the development could lead to an unacceptable relationship between the residents and the sport/recreational facilities. Consequently, the development would be harmful to the living conditions of the dwellings' occupants and the proposal would be contrary to policy CS16 of the CS and policy DM18 of the Havant Borough Local Plan (Alterations) 2014, which collectively and amongst other matters, requires a high standard of design, creating places where people want to live, work and relax, and for development

not to cause unacceptable harm to the living conditions of neighbours through the loss of privacy and noise.

Car parking

11. The proposal incorporates one space per unit located within the curtilage of Park Lodge. The location of the car parking would be reasonably accessible to the occupants of the two dwellings but the Council Parking Supplementary Planning Document 2016 requires a minimum of 2 parking spaces per two bed dwelling. The proximity of Bedhampton Railway station has been referred to but no detailed information has been submitted to show the availability of and opportunities for public transport in the vicinity of the site to justify any lower requirement. There is street parking nearby but it is unclear whether this would be available on match days or at other busy times when the sports/recreational facilities are in use.
12. On this basis, it has not been demonstrated that the car parking provision would be adequate. Accordingly, the proposal would be contrary to policy CS16 and DM13 of CS, which collectively and amongst other matters, require a high design standard of development and for car parking to be provided in accordance with the Council's standards.

Special Protection Area

13. The development would increase the number of dwellings within a 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent Special Protection Area (SPA). Natural England's advice is that all new housing development within this zone is likely to have a significant effect on the SPA. The Council has indicated certain contributions towards mitigation but there is no mechanism to ensure the payment of contributions before me. In this regard, the Appellant has indicated that a planning condition could suffice but the details of this have not been put before me. There is also no information on the compliance of the contribution with Regulation 123(3) of the Community Infrastructure Levy Regulations 2010 as amended. Had this appeal turned on this issue, further consultation with parties would have been necessary on these matters. As there are substantive reasons to dismiss this appeal, there is no requirement to do so.

Conclusion

14. For the reasons given above, and having regard to all other matters raised, I conclude that the appeals should be dismissed.

Jonathon Parsons

INSPECTOR