
Appeal Decision

Site visit made on 16 November 2020

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 December 2020

Appeal Ref: APP/X1735/W/20/3257320

17A-17B Avondale Road, Waterlooville PO7 7ST

- 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 Ms Linda Gutteridge against the decision of Havant Borough Council.
 - The application Ref APP/20/00146, dated 18 February 2020, was refused by notice dated 28 May 2020.
 - The development proposed is construction of 1 no. 2 bed bungalow to the rear of 17A/B Avondale Road, with access via Brooklyn Drive
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The decision notice cites policies from the Pre-Submission Havant Borough Local Plan 2036. This plan is yet to be submitted for examination and there can be no certainty that its draft policies will not change. I have therefore attached emerging local plan policy very limited weight.

Main Issues

3. The main issues are:
 - a) the effect of the proposal on the character and appearance of the area;
 - b) the effect on surface water drainage in the locality of the site; and
 - c) whether the proposal would provide adequate private amenity space for the occupants of the new dwelling and Nos 17A/17B Avondale Road.

Reasons

Character and appearance

4. The site comprises the rear garden of a detached two-storey property fronting onto Avondale Road. The building lies on a corner and its garden has a return frontage onto Brooklyn Drive. Although there are bungalows along the south side of Avondale Road, Brooklyn Road is characterised by a homogenous development of two-storey family houses.
5. The proposed bungalow would be set back off the pavement but it would nevertheless be a prominent feature in the street scene. Brooklyn Road does a

dog leg in the vicinity of the site and this would place the development in direct line of sight when exiting the cul-de-sac. The new dwelling would be built up against the boundary with 15 Avondale Road and as such it would fill almost the full depth of this shallow site. The small areas of private amenity space provided for the future occupiers of the development and retained for the existing ground floor flat of No 17A/17B would be at odds with other properties in the area which are characterised by more generous gardens.

6. The resultant effect would be a development which is unduly cramped. In seeking to fit the restricted dimensions of the plot, rather than reflecting the prevailing pattern of development in the area, the development would look contrived and out of keeping with its more spacious surroundings. For this reason, it would cause material harm to the character and appearance of the area. There would be conflict with Policy CS16 of the Havant Borough Core Strategy (2011) (HBCS) insofar as it seeks a high standard of development which responds to, draws inspiration from and respects local context.

Surface water drainage

7. The site lies in Flood Zone 1 which indicates a low probability of flooding. However, local residents report that the area routinely floods. Information from the lead local flood authority suggests that there is a culverted watercourse to the rear of the gardens in Avondale Road. The precise route of this watercourse is unknown but there is a risk that the proposal could sever the outfall. There is a possibility that the culvert is already blocked to the north-west (upstream) and that the flow path is above ground. In such circumstances, the proposed bungalow would provide an impediment to the flow of water; no information is provided to show how water could flow around the site.
8. The appellant's structural engineer has suggested a piled foundation solution. Such a construction method is an option, but without investigations to locate the hidden watercourse it brings the threat of damage to underground pipes which itself could cause flooding.
9. I have noted the other suggestion from the structural engineer that the ground floor of the bungalow be suspending and raised above the external ground. This would have implications for the appearance of the development, but in flood risk terms it does not address the above concerns.
10. It is proposed that surface water drainage be through infiltration techniques but there is no substantive evidence in the form of percolation test data to demonstrate that this would work. The need to establish the viability of soakaways is particularly important given the history of flooding in the area.
11. Accordingly, I conclude that there is inadequate evidence to demonstrate that the proposal would not increase the risk of flooding on the site and elsewhere. This is fundamental to the principle of development and therefore it would be inappropriate to require the information by means of a planning condition. The proposal would therefore conflict with HBCS Policy CS15 and the National Planning Policy Framework insofar as these seek to minimise flood risk.

Private amenity space

12. The Havant Borough Council Borough Design Guide Supplementary Planning Document (2011) does not stipulate minimum garden sizes. The guidance recommends that gardens for two-storey homes should be a minimum of 10 m

in length, but this is to provide appropriate daylight and to minimise overlooking. The primary aim within the guidance is to ensure that all residents have access to private amenity space whether that is the back garden of a house, a private shared space, or balcony of an apartment.

13. The proposed bungalow would be provided with an enclosed garden measuring 54 m². A similar sized garden would be retained for the existing ground floor flat. The Council contends that this would be inadequate for the purposes of 2-bed properties which could accommodate a small family.
14. The garden sizes provided within the appeal scheme would certainly be small, especially by the standards of other properties in the area. Although they would not be of a good size for families with children, they would be adequate for other types of household for whom gardening and outdoor play space are often not priorities. Whilst there will be occasions where larger gardens are necessary, I am not convinced that those circumstances apply here. The proposal would contribute to the mix of homes available in the Borough and it would provide an acceptable level of private amenity space for future occupants. There would be no conflict with HBCS Policy CS16 as regards the quality of the future living environment.

Other Matters

15. The appellant acknowledges that financial contributions are required in line with Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 to mitigate the adverse impact of the development on the Solent European sites. However, there is no planning obligation before me to secure the relevant contribution. Since I am dismissing the appeal for other reasons my decision does not turn on this matter.
16. I have considered all other issues raised in evidence, including the parking and highway safety concerns of residents and the pre-application advice provided by the Council. I have also taken into account the overgrown nature of the site and the benefits of delivering an additional home. However, these matters do not lead me to a different overall conclusion.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR