

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

11th February 2021

Re: Planning Application reference APP/20/01204,

Point View, 10 Western Parade, Emsworth, PO10 7HS

Demolition of existing dwelling and construction of a replacement 1 No. 3 bed detached dwelling, including balconies to front elevation and Juliet balcony to the rear.

Dear Ms Lesley Wells,

We wish to object to the planning application.

To be clear on the facts:

1. The applicant received planning permission for application 20/00122 on the 9th June 2020.
2. The applicant has produced a set of construction drawings that are not in accordance with the approved planning drawings.
3. The applicant has appointed a builder who is currently constructing a building not in accordance with the approved planning drawings.
4. The building being built is therefore unlawful.
5. The planning department were notified on the 12th November 2020 when the first blocks were laid and it was clear the building did not accord with the approved drawings.
6. The council are aware the current building being built is unlawful.
7. The applicant continues to instruct their builder to build an unlawful building, which is now at roof plate level.
8. The applicant has recently submitted a new planning application, in an attempt to try and make their building lawful.
9. The current planning permission has been implemented but not in accordance with the permission granted.

As you can see from the above, this is a highly unsatisfactory situation for all local residents. We place a strong trust that the planning department and leadership within the council are thorough and robust with their assessment of planning matters and also deal with potential enforcement action appropriately. We feel the strongest action should be taken on this matter, where the applicant are knowingly building an unlawful building. This is not a mistake on the part of the applicant it is a calculated risk to try and take advantage of both the council and the local residents – the facts presented to us all speak volumes.

What has been submitted is wholly inadequate for both officers and members of the public who wish to assess the application – the information is vague, misleading and incomplete.

In terms of:

Incomplete Information:

1. **No street scene** drawing has been submitted, which we believe will show the roof ridge is c.200-300mm higher and that the building is wider, than the approved drawings.
2. **No planning statement** has been submitted to demonstrate how the building supposedly meets current planning policy.
3. **No reference to the building colour.**
4. Looking at the plans, one would think the building sits in open land! There is conveniently **little to no reference to the adjacent properties**, [REDACTED] shown on the elevations or plans. How can officers assess the impact if the adjacent properties are not shown on the drawings both in plan and elevation. Accurate building surveys of [REDACTED] have been completed by the applicant as shown on drawing J007-EL-101 and so the officers should expect these to be shown on all of the planning drawings to avoid the current vagueness.
5. **No reference to the position of the previous bungalow.** This is vital to establish how much further forward the building is being built in reference to the previous dwelling, adjacent buildings and the approved drawings.
6. **No reference to what has been built to date.** The applicant has acknowledged they have not built in accordance with the approved plans (hence submitting a new planning application). It should therefore be imperative the building currently being built is accurately surveyed, a full building survey, to show where it is in relation to approved planning drawings and adjacent buildings. At this stage none of us know. Furthermore, the surveyed building should be overlayed on the approved planning drawings so officers can see the impacts/changes – of which there are many.

Impacts:

1. **Building Line along Western Parade.** The applicant is building further forward than the approved planning drawings, these are not small increments.
 - a. The ground floor footprint is at least 0.4 metres further forward.
 - b. The first-floor footprint is at least 0.45 metres further forward.
 - c. The whole footprint relative to the previous existing bungalow/approved planning drawing/building line is at least 0.5 metres further forward.
 - d. Havant Borough Council Strategy March 2011, policy CS16 Clause 1 and Havant Borough Design Guide Supplemental Planning Document Dec 2011 clearly state the importance respecting 'existing building lines', the current design does not respect the existing building lines' of adjacent properties. **The property will sit forward of ALL neighbouring properties.**
2. **Privacy** is of great concern due to the elevated position of the building, it is at least 0.5 metres higher at ground floor level and first floor level than [REDACTED] and the property is set forward as it does not follow the street building line.
 - a. Side windows - the officer can now visit site and look through the western window openings at no 10 and see first hand the **severe privacy issues created on the eastern elevation** of [REDACTED] by the size of the windows and their elevated position relative to the windows at [REDACTED]. Full height frosted windows and non-openable

should have been conditioned at both ground and first floor previously. A restriction as previously conditioned frosted and non-openable up to 1.7m does not satisfy the privacy issue. The applicant is showing unfrosted and openable windows above 1.7m on the west and east elevations at first floor and no frosted windows at ground floor level. Please address.

- b. **Balcony** – the balcony balustrade as shown is at least 0.6 metres further forward than the approved planning drawings and by the sheer fact the balcony is 0.5 metres higher than first floor at [REDACTED] and set much further forward, the applicants will be able to look directly into the masterbedroom at [REDACTED]. They can also look into ALL of the downstairs living, there is zero privacy. They have also moved the balcony further westwards exacerbating the situation further.
- c. **Roof lights** – there were 5 roof lights on the approved plans, there are now 13 roof lights – 8 more. This is excessive considering all of the rooms have windows in the elevation so light into these spaces should not be an issue. There is a concern due to the position of the roof windows and shallow pitch of the roof that privacy is massively compromised to all of the rooms on the east and west elevations of [REDACTED].

- 3. **Proximity to [REDACTED]**. Previously the officer conditioned the offset from the eastern flank wall of [REDACTED] and the western flank wall of no 10. It is not clear if the applicant has adhered to this dimension with their new building position and this minimum offset should be clarified by a building survey.

It should be clear to the officers the revised building cannot comply with Policy CS16, “the development does not cause unacceptable harm to the amenity of neighbours through smell, the **loss of privacy**, outlook, noise and **overlooking**”. I would ask the officer to clarify how the proposed building does not cause unacceptable harm for loss or privacy and overlooking to the neighbouring buildings of No 11 and in part No 9. The harm is significant and even more apparent now that the building has been largely constructed.

We trust the above provides the officer with sufficient grounds to refuse the application and issue the necessary notices to ensure the applicant builds to the approved planning drawings.

Yours faithfully

