



# planning direct



Objection to planning application. Havant Borough Council, APP/23/00181. 8 Queens Road, Waterlooville, PO7 7SB. 'Side and rear extension, alterations to fenestration, new materials to exterior.

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Date: 3/4/23

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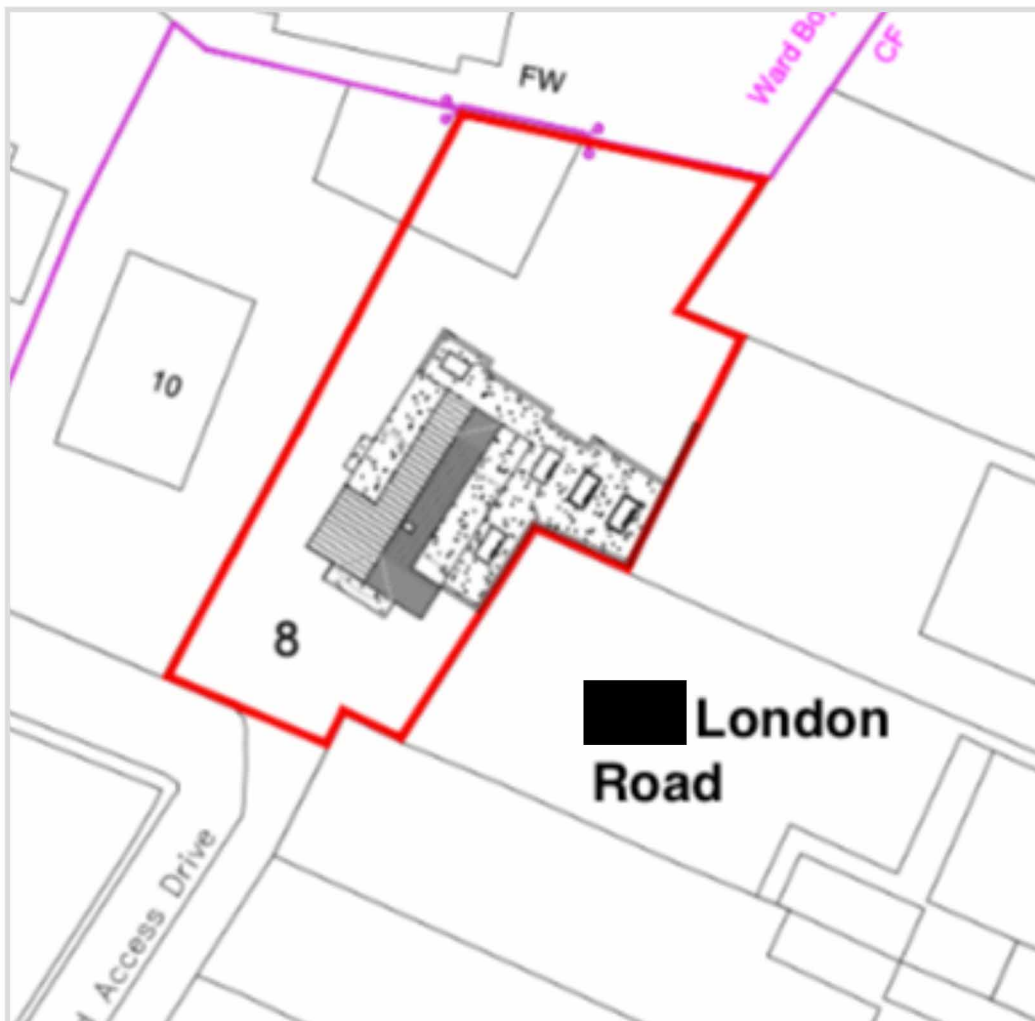
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## Introduction

Planning Direct has been instructed [REDACTED] to object to planning application: Havant Borough Council, AP1723/00181. 8 Queens Road, Waterlooville, PO7 7SB. Side and rear extension, alterations to fenestration, new materials to exterior.

[REDACTED]



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My clients principal concerns are that the application:

- Has not assessed the impact on existing trees inclusive of trees 'off site' and on my clients land;
- Overlooking;
- Overbearance;
- Effect on Light Levels.

## Planning History

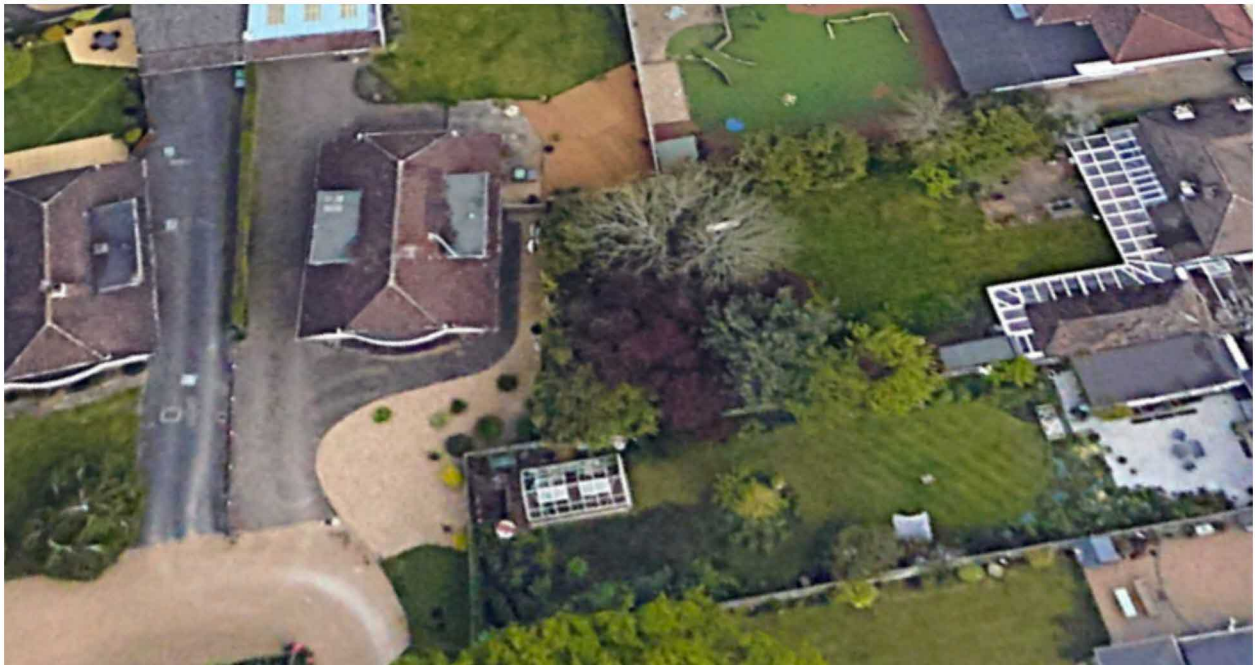
| Reference no.        | Description                                                                     | Decision | Date    |
|----------------------|---------------------------------------------------------------------------------|----------|---------|
| APP/21/00162         | Change of use of land to residential garden; erection of fence. 223 London Road | Granted  | 12/5/21 |
| APP/<br>09/60224/001 | Crown thin by 20% on TPO tree (8 Queens Road)                                   | Granted  | 2/9/09  |

## Location & Site Description

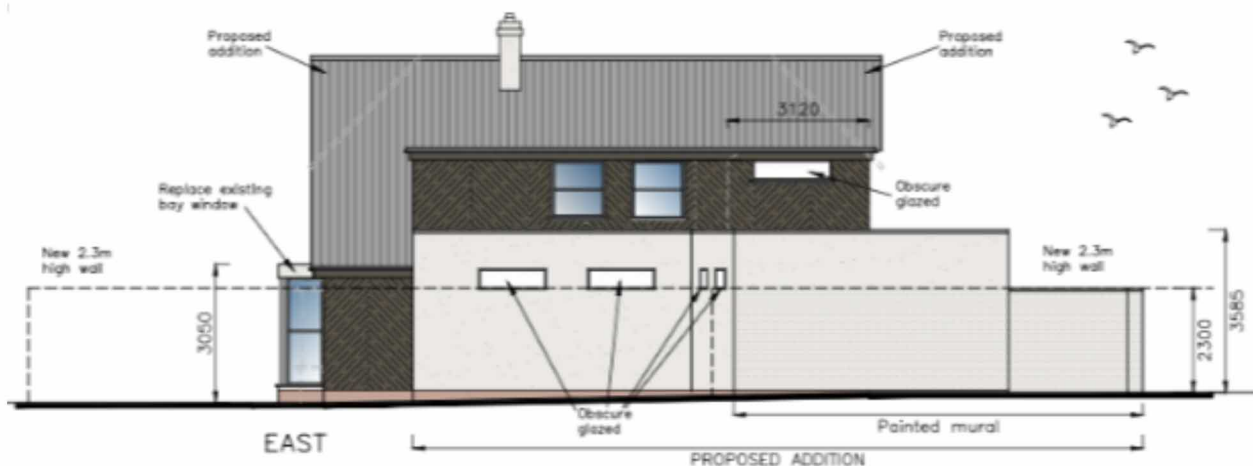
The site address is 8 Queens Road, Waterlooville, PO7 7SB. The site is at the bottom of a narrow cul-de-sac. The access way is 70m long with no passing places and as such would not pass modern standards for such access ways. It is not of adoptable standard.

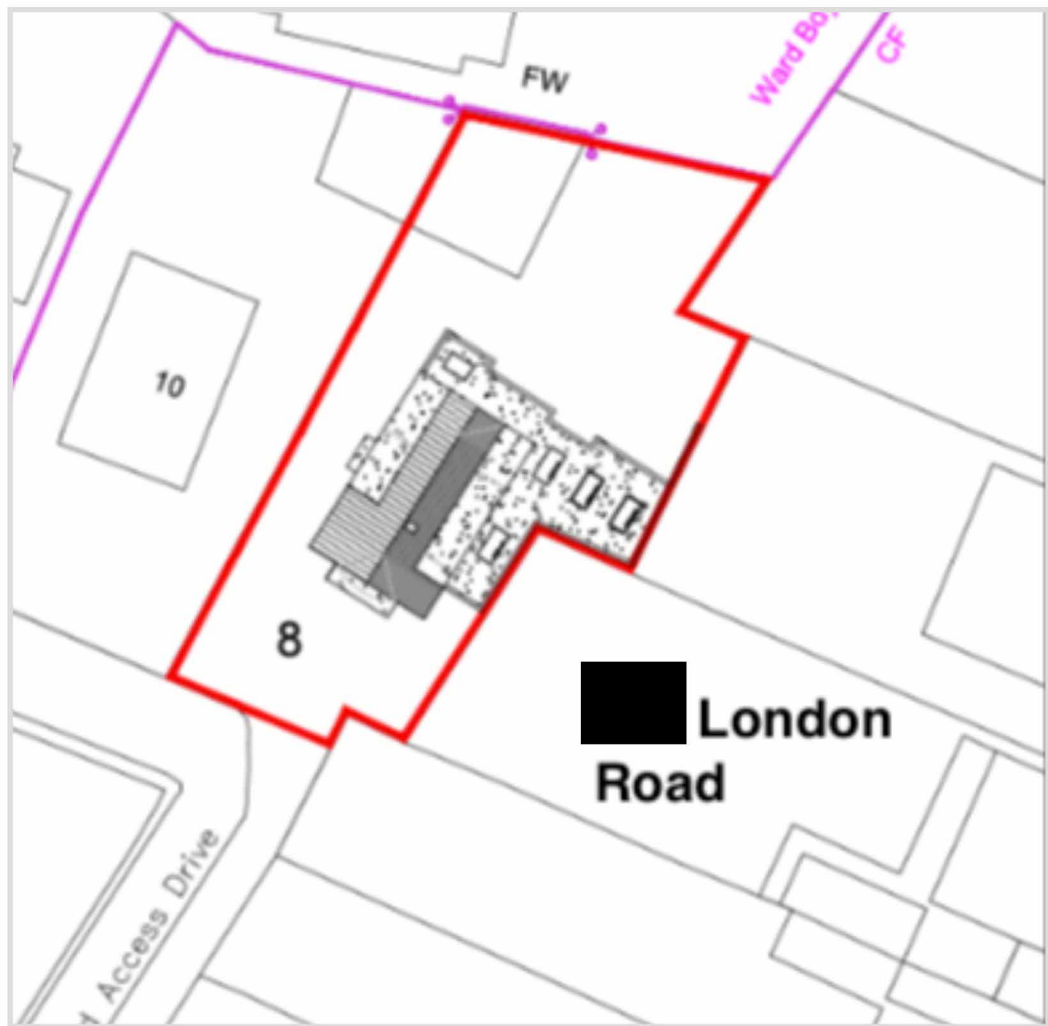


The area is one characterised by modest chalet-style dwellings. The site backs onto several properties on Waterloo Road. See below.



In attempting to maximise their own amenity the applicants are proposing to build around two sides of my clients rear garden thus generating the concerns my clients have for the effects on their trees and light. There will also be a very significant overbearing effect and overlooking directly into my clients private amenity space in their rear garden. The Eastern elevation below shows a significant height of 3.585m for the flanking wall and the addition of two overlooking windows at 1st floor height.





# Spatial Policy

Local Plan (Core Strategy) adopted (March 2011).

## **Policy CS16 High Quality Design**

**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:**

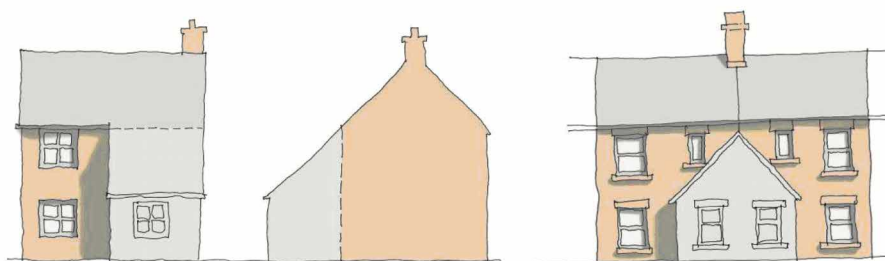
- 1. Responds to, draws inspiration from and respects local context and:**
  - a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;**
  - b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;**
  - 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;**
  - d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and**
  - e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.**
- 2. Produces a positive relationship between buildings, street and spaces both existing and proposed, where:**
  - a) The layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;**
  - b) New streets are not dominated by vehicular traffic;**
  - c) The layout of the development is legible, meaning it is easy to orientate oneself and move through.**
- 3. Contributes to the improvement of the public realm close to the development, particularly sites close to town, district and local centres and other priority regeneration areas by using high quality hard and soft landscape material and street furniture; and where development is of a significant scale or prominence makes provision for public art.**
- 4. Is inclusive by considering the needs of those with disabilities, ensuring safe and convenient access for all; and integrating affordable and supported housing with market housing through tenure blind design to minimise social exclusion and promote social integration.**
- 5. Maximises opportunities for mixed use developments, particularly in town and district centres; and encourage higher densities (50+ dwellings per hectare) where appropriate.**
- 6. Mitigates negative environmental impacts through sustainable design and construction methods, resource efficiencies, particularly water and the provision of facilities for waste recycling.**
- 7. Adapts to the changing needs of the users and the changing climate over the lifespan of the building.**



### Rear Extensions

- 5.41 Rear extensions should be sympathetic and subservient to the original design of the building. They also need to have particular regard to neighbouring properties and should not cause an adverse affect, such as overshadowing. Rear extensions should maintain a distance of 8 metres plus from the extension and rear boundary wall and 20 metres from the extension and the neighbouring property to the rear.

Figure 5.11: A sympathetic rear extension

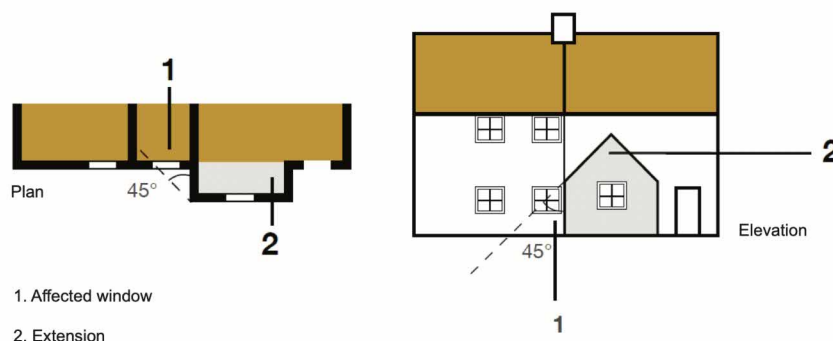


- 5.42 Rear extensions should be a maximum of 3 metres from the rear wall of the existing house, providing that this does not have an adverse effect on neighbouring properties. Outside of Chichester Harbour AONB exceptions to this may be considered, providing there is no adverse effect on neighbouring properties. In general, a single storey extension should be no closer than 1 metre to neighbouring properties and 2 metres for two storey extensions.

- 5.43 The design of a rear extension should avoid the loss of light to neighbours. Obstruction of light and outlook from an existing window can be mitigated against if the extension does not result in the centre of the existing windows being within a combined plan and section 45 degree overshadowing zone.

- 5.44 To assess this, on the window wall elevation an angle is drawn diagonally down at 45 degrees from the near top corner of the proposed extension. An angle of 45 degrees is then drawn back from the end of the extension toward the window wall. If the centre of the main window of the adjoining property lies on the extension of both these lines, then the extension will probably cause a noticeable reduction in sky light received by the window.

Figure 5.12: Design of a rear extension should avoid the loss of light to neighbours



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# Grounds of objection

## 1) Lack of an arboricultural impact assessment

The proposed extension is to be built on the boundary of the application site and my clients site. The rear garden of my clients property contains a number of trees some of which will no doubt have root balls up to and perhaps under the boundary line. See photograph below.

These trees are of amenity value to my clients and no doubt to other residents of the area. An Arboricultural Impact Assessment should be required to ensure that the existing trees are protected.



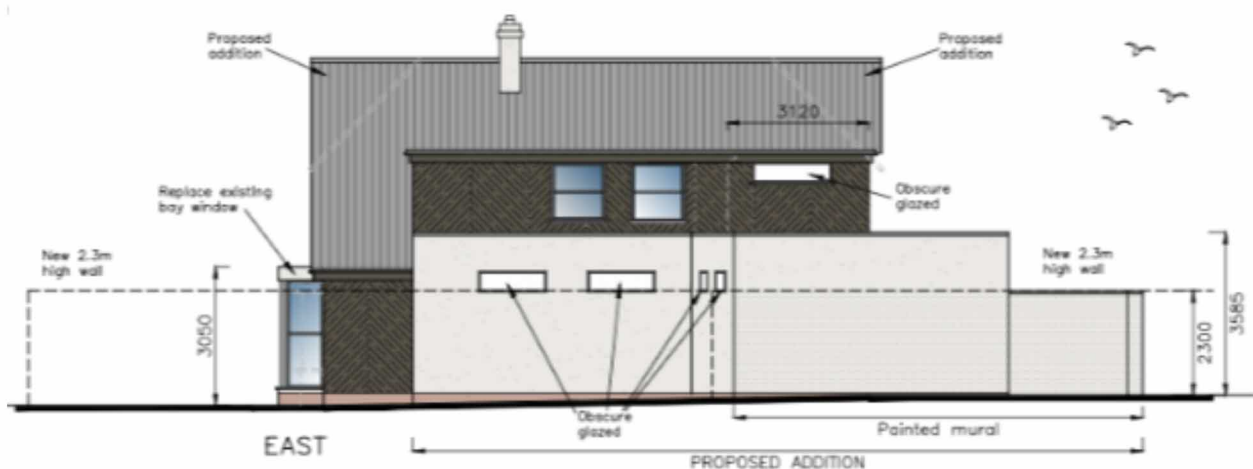
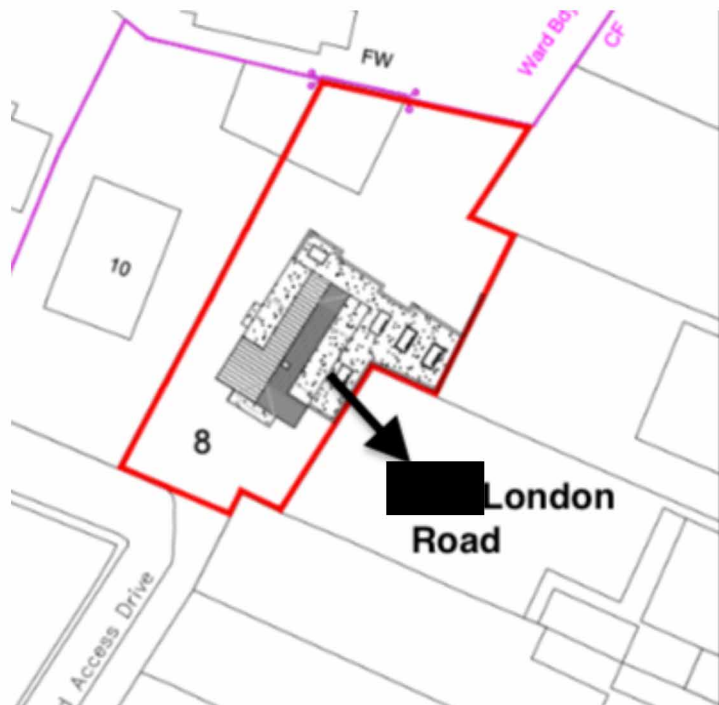
## 2) Biodiversity

Policy CS16 on High Quality Design requires that a proposed development promotes wildlife and biodiversity. Clearly there will be a negative impact on biodiversity due to the building out of the applicants site and potential unassessed impact on existing trees with no concomitant increase in biodiversity on site. This is against policy CS16 and prevailing Government Policy regarding Biodiversity Net Gain in all developments.

## 3) Overlooking

The proposed development will have two 1st floor windows looking directly into my clients private amenity space (rear garden). See arrow on plan.

It is difficult through enforcement to ensure that such windows are obscured so should the council be minded to grant planning permission the windows should be removed from the plans.



The overlooking will be clearly unacceptable harm to my clients and thus contrary to policy CS16. The application should thus be refused.

#### 4) Overbearance

A 3.585m boundary wall enclosing two sides of my clients garden will clearly be overbearing making use of my clients rear garden uncomfortable. They will feel surrounded by a large all almost double the height of what is considered Permitted Development.

The overbearance will be clearly unacceptable harm to my clients and thus contrary to policy CS16. The application should thus be refused.



#### 5) Loss of light

A light survey should be undertaken to establish the effect of loss of light (particularly in the afternoon and early evening) on my client arising from the proposed development.

#### 6) Intensification of use

The site is at the end of a 70m single lane cul-de-sac without a passing place. It is unlikely that with the intensification of use of the site and thus the potential for more vehicular trips the present access arrangements would be considered sufficient and



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thus these should be upgraded to include a passing place along the 70m stretch. If that is not possible the application should be refused for this reason.

## **7) Borough Design Guide**

The proposed extension fails to comply with the requirements of the Borough Design Guide being within 8m of the rear boundary wall. Further, the extension is more than 3m from the original house.

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## Conclusion

The application is a speculative one designed to maximise the applicant's amenity. Unfortunately, this is to be at the expense of the amenity of others and without due regard to planning norms. It should be refused.

The application is deficient in that an Arboricultural Assessment has not been made. There has also been no attempt to assess the impact on the biodiversity of the application nor impact on the light into my clients garden.

The 70m single lane cul-de-sac accessway would not be allowed today and with the proposed intensification of the use of the site the accessway should not be considered adequate and therefore would require improvement before an application for a more intensive use could be considered.

Their application will result in an overlooking and overbearing structure 3.585m tall on the boundary of my clients garden. For these reasons and the others above the application should be refused.