

Planning Application No: APP/21/01041 - Erection of 2no 3 bed and 2no 2bed dwellings, land between 26 and 32 Padnell Road.

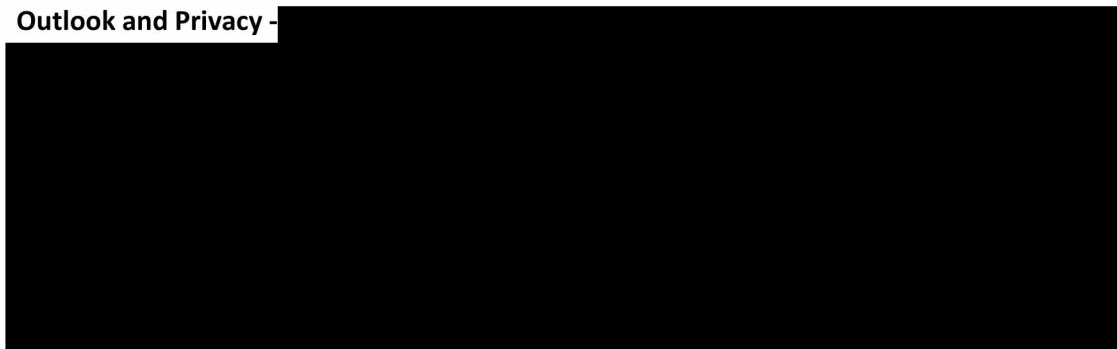
Appeal Reference: APP/X1735/W/22/3305931

I would ask the inspectorate to read my original objections related to this planning which are still current and valid.

I would like to take this opportunity to invite the Planning Inspectorate or representative to my property / garden to view the site in question to gain a full appreciation of the detrimental impact that the proposed development would have on my property and the lives of those who live here and that of neighbours and their dwellings

I wish to summarise my strongest objection to the above planning application appeal:

- **Outlook and Privacy -**



- **Parking/Traffic** –The road is already very busy, particularly during weekdays (rush hour) due to school traffic and the local health centre staff and patients using the road for parking and Nightingale Lodge, visitors, and groundsmen etc. The road becomes extremely busy with parked vehicles blocking driveways and obstructing traffic flow. It is a frequent occurrence for busses and HGVs to become stuck because of this. The proposed development will only add to and exacerbate this problem.
- **Site development** – Padnell Road contain only one habitable dwelling all of which are in linear alignment towards the front of the plots, with large gardens to the rear. Plots 3&4 would completely go against this trend and would be out of character with the rest of the neighbourhood. Most residents living on Padnell Road have purchased their homes because of this and are thankful for their large gardens. Previous applications for similar and smaller developments have been refused planning permission due to their siting to the rear of the respective plots and the harm they would cause to local amenities and outlook.

Other previous proposals similar in design have previously been refused planning permission:

APP No: 06/71368/001 was refused for being “Detrimental to visual amenities and quiet enjoyment of adjoining properties”, “The proposal would set a bad precedent encouraging future development of rear gardens. This is out of character with the locality” and “Bulk and height would be an incongruous feature and detrimental to visual amenities”. It should also be noted that the subsequent appeal for this application was also refused.

APP No: APP/10/00293 – was refused for “The entrance road and parking area would result in detrimental impact on quiet enjoyment of neighbouring properties with increased noise, activity and disturbance”, “the proposal would result in excessive bulk to neighbouring properties to the detriment of visual outlook and amenity”, “Access road would potentially introduce risk to highways”, “the development would substantially increase the built up appearance of the site which would be visible from the street and nearby properties which is harmful to the character of the area”. It should also be noted that the subsequent appeal for this application was also refused. It should also be noted that the subsequent appeal for this application was also refused.

APP No: APP/20/01026 – was refused for “due to the position of the drive, turning point and parking area to serve the new dwelling, the proposal would have a detrimental **impact** on the living conditions of the host dwelling, and the adjacent neighbouring properties by reason of noise and

disturbance.” “the proposal would not result in a sufficient high quality amenity space for the future users of the development”

All the above is also true for this proposed development so must constitute fair reason for refusal. The council cannot refuse other similar plans but grant this one in the same area and circumstances.

In relation to the proposed access road - I have concerns that this will have a negative effect on the surface water drainage water channel that the road will be built on top of. The road and its foundation will prevent surface water draining as it currently does and could easily introduce contamination into the water course from vehicles (oil/chemicals/brake dust/particulates). The access road would not allow emergency vehicles access due to its lightweight construction being unable to support large heavy emergency vehicles. To enable this to happen a more substantial foundation would need to be built which would further damage and restrict the water course. If emergency vehicles were to access the rear plots 3&4, they would then have to reverse out the site which is not acceptable.

- Proximity to existing buildings - The siting of the proposed building (plot 1&2) at the NE corner that it gives me concern as to the impact of the footings on existing buildings (No 26). It does not maintain distances between dwellings as quoted in the Planning and Access Statement. Plots 3&4 are extremely close to the boundary of No 26 with plot 4 having a high hipped roof to its front facing No 26 causing overshadowing to the rear of the garden particularly during summer months. This shadowing is not reflected in the path of the sun in the plans (which only shows the winter path of the sun).
- Loss of Amenities – There is no sign on the plans to replace any of the previously destroyed native trees and no indication in the use of newly planted trees for screening purposes to maintain the privacy and outlook of neighbouring residences. Plots 3&4 are extremely close to a large mature Oak tree subject to a TPO – I have concerns about the digging of foundations this close to the Root Protection Area and the damage it may cause. I am concerned about the lack of natural light into the two new properties. This will potentially result in the future reduction/felling of protected trees to increase light – something that should be avoided at all costs otherwise a TPO will be meaningless.

Increased noise levels particularly from traffic. The proposed road to plots 3&4 will give vehicle access to the rear of the site of which there has never been on any property in this vicinity. This will dramatically increase noise to rear gardens and houses (engines/doors closing etc.) and an increase in poor air quality and create an awful situation during the hours of darkness with vehicle headlights illuminating the rear gardens and rear facing rooms.

- Drainage/Sewerage - This road has an ageing sewage system which struggles to cope at times particularly during heavy rain. We have experienced raw sewage overflow into our garden in the past as the sewer system struggles to cope. Adding four more properties will not help this issue. Our rear garden is often flooded after heavy or continual rain, it has worsened since the trees on the field have been removed.

28 January 2023

Planning Application No: APP/21/01041

Inspectorate's appeals reference: APP/X1735/W/22/3305931

I wish the following comments to be taken into consideration regarding the above appeal.

Firstly, I would like to take this opportunity to invite the Planning Inspectorate or representative to my property / garden to view the site in question to gain a full appreciation of the detrimental impact that the proposed development would have on my property and the lives of those who live here and that of neighbours and their dwellings.

I would like to reiterate the points I raised in my original objection to this proposed development and further substantiate those points as set out below. I would like the Inspectorate to consider these additional points when determining his/her decision.

1. Siting / Position

The proposed siting of plots 3 & 4 are totally out of character with the scenscape of Padnell Road by virtue of their proposed isolated position compared to current dwellings. All current dwellings roughly maintain a uniform building line towards the front of their respective plots thereby maintaining the characteristic amenity of peace, quiet and privacy levels the current residents enjoy, and always have done for well over 50 years, towards the rear of their gardens. It is quite plain to see from maps, plans, drawings and aerial photographs that there are **NO** residential dwellings in, at or towards the rear of the current plots. The proposed plots (3 & 4) will completely change the rear garden scene of Padnell Road to the extreme detriment of the current property owners.

The introduction of noise and artificial night lighting into what is and has always been dark and a quiet area to the rear of the current dwellings. These amenities are currently to the benefit of current residents and was a primary consideration when the current dwellings were planned. The proposed plan in no way considers the detrimental impact and effects that this development would have on the neighbours immediately adjacent to the plot. Additionally the proposed building will not **"retain the gap between Nos 26 & 32"**. The NW corner of the front building is only half a meter away from the side elevation of No 26. This hardly retains the gap. This close proximity may well also create foundation issues for No 26 should the new building be approved.

The proposed siting of these dwellings will result in undersized rear gardens that will be almost permanently in the shade during spring and summer months due to the close proximity of the large trees over the back fence. Further to this there is likely to be insufficient natural light entering into the rear rooms of these dwellings. An important point that appears to have been overlooked or ignored by the developer. All of these trees are the subject to TPOs.

The plot in question has a slight slope to the south and consequently surface water drains to the end of the plot and creates a waterlogged, muddy and unusable area. Any additional Tarmac / concreting over of this area will increase the surface run off and only serve to exacerbate this problem. The result of this will have a particular impact on any potential residents of plots 3 & 4 in the form of a back garden full of mud. Any future development of these gardens must be in accordance with the restrictions applicable to the associated Root Protection Area (RPA). Any future occupants of these potential dwellings will not thank the developer for leaving them with these conditions and restrictions.

2. Style

There is a range of residential styles in Padnell Road but there are no backland developments and no plots have been sub-divided so as to provide development of habitable dwellings to the rear of the plots. This is contrary to and against the character of the area as a whole and detrimental to the current residents.

Any new developments should “function well and add to the overall quality of an area including in the long term, are visually attractive, are sympathetic to local character and ensure a high standard of amenities for existing and future users. This proposal does not meet these requirements.

The proposed sighting of the rear buildings would also constitute an intensification of development which would appear incongruous and out of character with the overall appearance of the street.

The siting of the proposed buildings on plots 3 & 4 also completely contradicts the previous refusal statement para 1 - “the development would fail to respect building lines and depths”. In his previous application for a block of incongruous and poorly planned flats and subsequent appeal, the proposed building extended approximately 15m beyond the established (and accepted) building line. In the current proposal the rear buildings on plots 3 & 4 will start approximately 16m beyond the recognised and accepted building line. This is in complete ignorance of the council’s planning refusal and advice that the council gave to the developer in response to his very first planning application that didn’t even get past the first stage that there should be no development to the rear of the plot. The council’s advice also states that any design which is inappropriate in its context should not be accepted and that development should be well integrated with and compliment the local area. Something that has been either clearly lost or completely ignored by the developer.

3. Sunlight.

The developers drawing No 2021/04 shows the path of the sun. This is clearly a copy from the developer’s previous application and relates to the month of March (See App/21/01041 Planning Design and Access Statement). This is not a true reflection of the suns path and is another demonstration of the developers poor planning for this proposal.

4. Character/Appearance/Amenities

The proposed rear dwellings at plots 3 & 4 are of a dormer style and have a height of 6.3m. Whilst this may well reflect a similar height of the chalet style at No 32 it should be borne in mind that No 32 is located at the front of its respective plot and not to the rear. At a proposed 6.2m these buildings (plots 3 & 4) are more than three times higher than the boundary fence with adjacent properties. Whilst there are no side elevation windows proposed, the high side elevation walls will dominate and be continuously in the field of vision from every one of the rooms at the rear of my house and any position in my rear garden presenting an outlook of a foreboding, bland, incongruous, and ugly solid brick wall

and huge tiled roof where previously there was nothing but trees. It most certainly does not create “a more aesthetically and pleasing environment complimentary to the street scene as a whole”. The building will in fact dominate the southerly outlook when seen from the street and the rear outlook from neighbouring properties lying to the east and west. The building and its large roof area (2 x semi’s) will also be clearly visible and dominate the outlook from the rear rooms of adjacent properties. This is to the detriment and disadvantage of current neighbours especially at No 26 and 32. Contrary to the developers comments “the subordinate articulated elements of gable roof are effective in minimising and breaking up the overall mass and scale of the building”. These very words used by the developer clearly suggest that he is well aware that there is a blatantly obvious issue with the size and scale of the proposed building. There are no words or actions that could be used to disguise this building or blend it in with its background. It is an elephant in the room that will stand out like a sore thumb due to it being sited in an area where there are no other buildings and in full and open view from rear windows and gardens of almost all current dwellings on the south side of Padnell Road. It will cause serious visual and material harm and have a negative impact to the character and appearance of the area and is most definitely not “genius loci”.

5. Noise and Disturbance

The siting of residential dwellings to the rear of the site and the access road, parking and turning area will introduce an unacceptable change to the current amenities of the current residents in the form of increased residential social and vehicle noise, introduction of artificial light (vehicles/residential/safety/security lighting). The increase of both noise and light will have a detrimental impact on neighbouring residents and indeed the wildlife of the surrounding area. We have precious little wild life left these days and we should make every effort to preserve and enhance it wherever and whenever it is within our power to do so.

6. Access /Parking

Newly created access road to plots 3 & 4 constructed on top of a natural drainage channel and running immediately adjacent to the side elevation of plot No 1 and less than 1 metre from the side elevation of No 32. This access road will cause additional vehicular noise and light and will have a huge negative impact on residents at No 32. Vehicular access in and out of the plot to / from Padnell Road will only further add to the traffic congestion and parking issues currently experienced along this section of the road, particularly at school drop off / pick up times.

The rear parking area will also have a negative impact on the presence of flora and fauna, notwithstanding the area has already been de-spoiled (twice) by this developer.

Prior to the developers previously refused application he received advice from the council that car parking to the rear of his proposed building (sept 2020) was not acceptable. This advice has clearly been ignored as we now see that this aspect has been reinstated it into his development plans.

6. Future precedence

As is clearly evident along Padnell Road none of the rear gardens have been sub-divided to construct residential dwellings. The proposed buildings at plots 3 & 4 would extend to the west beyond the building line of the front plots and across much of the width of the site. Thus, the views of the access, turning point, rear car parking area, fencing to the amenity area of the rear plots and large parts of the rear dwellings would be clearly visible from

Padnell Road between the buildings, as well as being clearly visible from neighbouring gardens. This will be extremely detrimental to existing and any future neighbouring residents. The proposal would increase the hard landscape and built-up appearance of the site with limited areas of soft landscaping or opportunities for biodiversity enhancement identified – detrimental to the wider neighbourhood community and the street and rear garden scene as a whole and to the detriment of the prevailing and established character of the area. (The developer has given no indication of his intention to replace any of the trees he had felled during lockdown when he de-spoiled the site entirely with any new plantings of native tree species.

The proposed development, if approved, will undoubtedly set a precedence for any future similar backland developments leading to widespread intensive development that is out of character with Padnell road. The proposal would create an undesirable precedent which would make it difficult to refuse further similar applications.

7. Planning History

I would like to take this opportunity to respond to the appellants comments in his statement of case 1726564 August 2022.

Section 3 – Planning History

3.4. Planning refusal and subsequent Appeal dismissal for 23 Padnell Road

3.5 The appellant states that the above scheme and his own current scheme to which his appeal relates are not considered to be directly comparable.

Question – Who considers them “Not comparable”

Answer – The developer

Fact: Both schemes are directly comparable. They are/were both for backland development that was and should remain unacceptable for the same reasons. The site at 23 is smaller but Not considerably smaller. The planning application for No 23 was not for the detached dwelling at the front of the plot but for an additional backland development to the rear of the plot, with vehicular access immediately adjacent to a neighbouring property – almost identical to the developer’s current proposal.

The current proposal and appeal is for a gap between No 26 and 32. I do not believe there to be an issue with the development of two semi’s to fill the gap at the front of the plot – the issue (as with No 23) is the backland development of the two Dorma’s. The developer’s current appeal should be rejected for the very same reasons that the appeal for No 23 was rejected.

3.6/3.7

The approval for the development of no 32 was for “two storey rear extension and provision of dormer windows to the front elevation”

There are some key elements that the developer has overlooked here.

- a. Two storey rear extension – as is clearly visible the extension was to an existing property to the FRONT of the plot for No 32. It was not for a new development halfway down the garden with windows directly facing North into neighbours dwellings as is being proposed by this developer. This extension did not consist of any form of backland development and hence was not out of character and resulted in no adverse and detrimental effect on neighbours and their amenities.
- b. The approval of the dormer windows. These windows were to the FRONT of the dwelling overlooking the road – not intrusive and not out of character.

3.8 Development of No 20 Padnell Road.

This development is in the same place as the old demolished building. It has almost the same sized footprint as the previous dwelling but is a two storey house – designed and built to maintain the character of the area. The parking is also at the FRONT of the house and not half way down the back garden and hence within keeping with all other dwellings on Padnell Road.

It should also be noted that the owners had restrictions placed on the development that prevented them from constructing any form of habitable dwelling beyond the established building line. Again ensuring the new house remains in keeping and character with the surrounding area.

3.9/3.10

This application and appeal was refused and when all of the reasons for refusal are taken in context together then it is clear that although the proposal was sound in theory it was clearly not an acceptable development for the proposed area. – Nice buildings, wrong area. Again out of character backland development that, just like this proposal will fail to add any improvement to the character, ambience and quality of the area and the way it functions.

8. Precedent

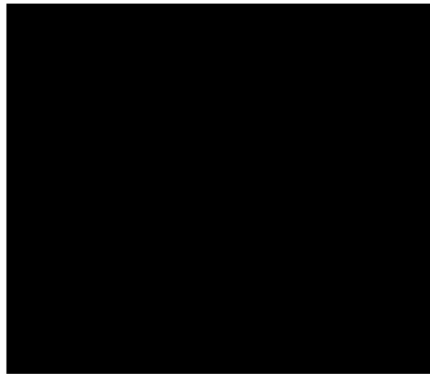
As previously stated there are no habitable dwellings constructed in the rear gardens or to the rear area of the plots, this is one of the fundamental characteristics of the area. Paragraph 7 above clearly lays out the reasons why similar planning applications for backland development were refused. If this development is successful at appeal, that decision would without any doubt, set a dangerous precedent whereby HBC would find it extremely difficult to refuse any future planning application for developments of a similar nature. Indeed it could potentially encourage future developers to apply for permission for backland developments resulting in a permanent change to the current character, ambience and amenities of Padnell Road.

Summary

The original planning application was refused by HBC for all the right reasons. The decision was reached by councillors from the local area and familiar with the local area and what it needs and does not need. It was based on the impact the proposed development would have on the local residents and immediate neighbours not only in the short term but more importantly in the long term, after all it is these people who will have to live with it and not the developer. The decision also took into consideration whether or not the development would complement and enhance the characteristic of the local area and the impact it would have on the amenities. The decision was most definitely not influenced by profit.

The conclusion drawn by HBC was that the proposed development would have a negative impact on the neighbours, local residents and the characteristics of the area and will not enhance or add any improvement to the local amenities.

HBC case officers are experienced and knowledgeable in local area planning and development and their decision for refusal was based on sound judgement. The councillors making these decisions should have full trust and confidence by the Planning Inspectorate that the decision for refusal was the correct decision for this development. I feel it only right that the Inspectorate support and uphold HBC decision and reject the developers appeal.



Jonathan Alden
The Planning Inspectorate
Temple Quay House
2 The Square
BRISTOL
BS1 6PN

7th February 2023

Dear Mr Alden

I wish to submit the following objections in the matter of this Planning Application and Appeal.

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TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 78

Site: Land between 26-32 Padnell Road, Waterlooville, Hants.

Proposed Development: Erection of 2No. 3bed and 2no. 2bed dwellings, associated parking and bin/cycle storage.

Planning Application Number: APP/21/01/01041

Planning Inspectorate's Appeal Reference: APP/X1735/W/22/3305931

Appeal Start Date: 10 January 2023

Appellant's Name: D & K Contracting Services Limited DeSuoza

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1. Type of Development

- a. The proposed development is out of context with adjacent dwelling and other properties in the vicinity. The application represents over-development and does nothing to integrate or compliment the character of the area.
- b. HBC Planning Dept have consistently refused planning permission for previous comparatively small extensions to dwellings in the vicinity of the Development Site. Having done so, 'building lines' have emerged that extend along the front and rear of all adjacent properties. The proposed development extends way beyond what has

consistently been considered acceptable. Development of this site should be sympathetic to the adjacent properties and the area, the wishes of local residents and respect previous restrictions imposed by HBC.

- c. Amounting to nothing more than a speculative venture, this development is a simple profits driven exercise to squeeze as many dwellings into a space as possible. It shows zero sensitivity to the impact on the neighbourhood or those who would have to live near to it. It is universally unwelcome.
- d. The proposed development will compromise the outlook, privacy and peaceful enjoyment of adjacent properties.
- e. Vehicular access to the rear of the development site runs along the boundary of No32. Vehicular and pedestrian movements will destroy peaceful enjoyment for No32.

2. Impact on the area and neighbouring properties

- a. The exercise of squeezing parking spaces onto a site plan does not make them workable or adequate for the number of potential occupants in such a development. Practicalities of moving vehicles render the proposed parking arrangement an inadequate box-ticking nonsense.
- b. Impractical parking provisions are unlikely to favour their use. This will inevitably lead to additional on-street parking in Padnell Road which is already busy.



Padnell Road during a typical day. Queue from the traffic lights can be seen in distance. Out of shot to the right is the entrance to St Wilfrid's Church.

- c. The proposed development will undoubtedly cause an increase in pedestrian and vehicular activity disproportionate to that of nearby dwellings thereby causing unavoidable disturbance to the detriment of neighbouring properties.
- d. Vehicular and pedestrian access to dwellings at the south of the proposed development site will destroy what is presently a peaceful environment.

3. Parking, access and flow of traffic

- a. Padnell Road provides access to the Hazelton Estate, Cherry Tree estate and soon to the Padnell Grange housing estate. Padnell Road is a bus route. This proposed development site is located at a point in Padnell Road where parking frequently causes problems for through traffic, larger vehicles and buses. The location is particularly busy during school drop-off and collection times, and during events at the church opposite on various days and times of the week.
- b. The development site opens onto Padnell Road directly opposite the entrance to St Wilfrid's Church. The exit from the church is a particularly tricky to negotiate at the best of times being virtually blind from one side. Anything that might increase on-street parking at this location would undoubtedly make worse what is already a dangerous setting.
- c. Some patrons of the church prefer to park in Padnell Road in the vicinity of the development site. This already adds to congestion. On many occasions one can hear the beeping of car horns and arguing as buses struggle to negotiate the constriction caused. Staff from the Health Centre at the end of Padnell Road are not permitted to use their inadequate carpark so choose to park in the vicinity of the development site and church on a daily basis - the nearest point yellow lines will permit.
- d. Poor visibility and impatient motorists already make it tricky to exit a driveway and the church in the vicinity of the development site. Just the slightest increase in on-street parking will worsen what local residents will testify is already a problem.

4. Environmental

- a. Studies submitted by the developer on the impact to flora and fauna should be treated with the same contempt with which they were conducted. In a cynical move, having purchased the land the developer immediately stripped it of all vegetation. Many mature trees were felled and wildlife evicted. It is of no surprise that they claim the development will have no environmental impact when the study was conducted after there was nothing left to disturb! Nature has more recently reclaimed its foothold and the wildlife has returned. Any previous studies should be rendered obsolete and the developer made to fund a new study –BEFORE stripping the land for a second time.
- b. Bats are a species protected by Legislation. A development that may affect the roost/s requires a Bat Survey and European Protected Species Licence –a matter that must be addressed when determining a Planning Application. There are

numerous bats roosting in trees at the southern end of the development site that can be seen at dusk over the development site and adjacent gardens. The impact of any construction be it physical, noise or light pollution, that affects the flightpath of bats is a matter to be addressed by Law.

You are most welcome to view the development site from the garden and/or house [REDACTED] to appreciate from our perspective just how much the proposed development will impact our property. I'm sure the [REDACTED] would be happy for you to view from their perspective. Just let us know when you intend to call and we will ensure access.

I believe my concerns have remained objective and ask you to refuse this universally unpopular application.

Yours sincerely

[REDACTED]

From: planning.development@havant.gov.uk <planning.development@havant.gov.uk>

Sent: 24 January 2023 16:58

To: Pickup, Tina <Tina.Pickup@havant.gov.uk>

Subject: Comments for Planning Application APP/21/01041

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 24/01/2023 4:57 PM [REDACTED]

Application Summary

Address:	Land between, 26-32 Padnell Road, Waterlooville
Proposal:	Erection of 2No.3bed and 2No.2bed dwellings associated parking and bin/cycle storage.
Case Officer:	Tina Pickup

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type:	Complainant
Stance:	Customer objects to the Planning Application

Reasons for
comment:

Comments: I wish to endorse the objections I previously quoted and to say they have become stronger with the considerable increase in the environmental factors, caused by the passage of time.

Kind regards

From:**Sent:****To:****Subject:**

03 February 2023 13:24

NEW East 1

Appeal Reference APP/X1735/W/22/3305931

Dear Sir,

I have already lodged objections with Havant Borough Council regarding the application APP/21/01041. In addition to the comments I have already lodged, I would like you to consider that Southern Water, who are responsible for disposal of surface water and the treatment of Black and Grey waste water are demonstrably unable to deal with the outpourings from buildings they currently serve. It is pure folly to add further burdens to an already overwhelmed infrastructure until the company stop dumping untreated waste water in our streams and rivers and fouling the beaches.

Regards