

**REPLY TO PLANNING REFUSAL RECOMMENDATION LETTER BY
THE CASE OFFICER**

SITE DESCRIPTION

Garages located to the rear on southern aspects of the plot.

Note: Some of these garages have pitched roofs with their southern side along the boundary between the properties.

2. PLANNING HISTORY

This is an error! No previous application or enquiry has been submitted regarding our property, house number 42. The Case Officer agreed that an error been made. My suggestion is, this is applicable to house number 32, which has a pitched tiled roof garage with its southern side on the shared boundary with house number 34. (photo included).

3. No comment.

4. No comment.

5. STATUTORY AND NON STATUTORY CONSULTATIONS

Plan of sewer records not attached.

6. COMMUNITY INVOLVEMENT

Two representations were received. One representation had no issues except a request that the corrugated asbestos cement roof on the garage to be demolished is disposed of in the correct manner. The second representation (with formal objection) was submitted by McAndrew Martin appointed by house number 44. This objection raises many questions and inaccuracies. This objection will be dealt with my comments regarding the Refusal of Planning Permission.

Please note on two occasions I have spoken to number 44 asking if we could have a discussion regarding their objections to try to resolve the situation. His reply was puzzling in that he said he had no objections to our proposals, his only concern was the possible loss of light to his property. He also added that he would discuss this with his wife and daughter who engaged McAndrew Martin. On two occasions we agreed to meet to discuss a way ahead which would be acceptable to both parties, this did not happen.

7. PLANNING CONSIDERATIONS

7.2 Principle of development accepted.

7.3 Dimensions quoted are not correct and this will be addressed at paras 7.4 and 7.5. Comment on partial visibility from the public realm. The distance from the eastern end to the road/pavement is 25 metres. I suggest this statement should not add value to refusal criteria.

The comment on plot size, proportion and reduction in amenity space is not correct. The proposed extension is **not 11 metres** into the rear garden, it is in fact only **7 metres**.

Considering the total loss of amenity space will be less than 6 metres square, something is not correct and therefore again should not add value to the refusal criteria.

Consider the total plot size is 440 metres square, house plus extension is 140 metres square. Total build on plot is approximately 30%.

Loss of amenity. Area of rear garden is 103 metres square. Floor area of existing garage (to be demolished) is 15.39 metres square. The proposed extension into the rear garden is 21 metres square, therefore $103 - 15.39 + 21.6 = 97$ metres square. A reduction of 6 metres square! **Not considerably disproportionate in relation to the plot and the property.** Again misleading information which erroneously is informing the refusal.

7.4 DIFFERENCE IN LAND LEVELS

The difference in land levels is more than **slightly** as stated by the Case Officer. The measured height is 850 mm which is important as this informs the primary roof height dimensions. Again another error!

The existing garage height from the ground level of house number 42 is approximately 2,700 mm at its highest point (ie the middle front).

The height above the fence line of house number 44 to the highest point of the existing garage is in fact 440 mm.

The height of the proposed extension is 2,760 mm from the ground level of house number 42. At this point can it please be noted that house number 44 has boundary fences to the rear and south side of the property. These fences are 1,950 mm high including concrete barge boards. Of recent times house number 44 has erected a new fence along their northern boundary, running parallel with the side of house number 42 garage. This fence is 1,350 mm high including barge boards. I would have thought, considering the view from house number 44 looking north at my crumbling, asbestos roofed garage (which I agree is an eyesore) hence the reason to demolish and replace with a more environmentally acceptable and practical building. If this fence had been erected at the same height as the rest of their garden fences, they would not even see the proposed extension.

The amenity of house number 44, I suggest will not be considerably impacted by the proposal by scale, and proximity of house number 42. My understanding of amenity is a useful or pleasant facility. The distance from the proposed extension, north side to the external south wall of house number 44 is 1,230 mm and to the nearest window of house number 44 is over 2,000 mm. Is this impacting?

The proposed extension is **not** 11 metres deep into the rear garden of house number 42, it is in fact 7 metres from the rear of the property with 3 metres of garden behind the extension to the rear boundary. The side extension, ie Utility Room is linked into the existing breakfast room, therefore does not add depth to the plot.

The Case Officer states that the height of the side extension **will come up to around the same level** as the west facing rear elevation wall of house number 44. What part of the rear elevation wall is being referred to? House number 44 is a bungalow and the rear wall from ground level to its ridge is 4.7 metres high. If the Case Officer is referring to the height of the proposed extension to the soffit of the north facing wall of house number 44, then the dimension is 780 mm. **Hardly around the same level.**

Yet again inaccurate information which I assume informed the refusal decision.

The issue of restricting light and shadowing is judged by the Case Officer to be of **some impact**. This is hardly a technical descriptive measure and is a subjective comment. As the owner of house number 42, myself and my family have lived here for 47 years and are very familiar with the activity of the sun. I suggest there will be no impact reference shadowing or loss of light.

May I point out the garage to be demolished was originally positioned where the side extension is proposed. With planning permission, it was moved to its present position to accommodate the extension to house number 42. The previous owners of house number 44 had no issues of light loss or shadowing before it was moved.

I do not consider that the proposed extension is overbearing as stated. As previously mentioned the view north down St Johns Avenue (which has quite a gradient) house numbers 38, 36, 34 and 32 have garages in roughly the same position on their plots. Some of these garages, have pitched roofs and are closer to the public realm than the front of the side extension to house number 42. Three of these garages have roofs which extend higher than the boundary walls of their neighbours!

8. CONCLUSION

As the appellant, I question the basis, validity and correctness of the decision to refuse permission to the application. I am confident that by raising and highlighting the discrepancies which I have found, an informed positive view regarding planning permission will prevail. Some of the descriptive appears to be based on conjecture resulting in phrasing such as overbearing, loss of outlook, overshadowing and unacceptable harm to the character of the area. I have highlighted some obvious erroneous assumptions rather than creditable positive comment. Please note I have submitted a drawing/plan which highlights appropriate dimensions and accurate descriptive. **This plan is not a revised application to be considered, it is purely to support and make clearer the comment included with this appeal document.** The objections raised by McAndrew Martin have been given too much status as a true reflection of the real issues to be considered. The subjects addressed within their formal objection seem to come from a standard negative back catalogue of popular issues, these issues being presented as valid objections to our planning application. I would like to comment on paras 3, 11 and 10, in particular. The boundary fence is **owned** by house number 44 and is positioned along the centre of the boundary, which is defined by concrete edging. The dwarf wall referred to is built on the land of house number 42. Under gov.uk guidelines for party walls, this wall is **not** a Party Wall as it stands on the land of one owner. Therefore comments at paras 3 and 11 are invalid. Para 10 I find to be a strange and irrelevant objection.

In compliance with the Planning Inspectorate Information (making your appeal) we had a meeting with the Case Officer at Havant LPA. We hoped this meeting would produce a positive and helpful discussion between both parties. Unfortunately the outcome of this meeting was disappointing. It was obvious that the Case Officer was not of the same mind-set as ourselves. The Case Officer suggested we submit a general enquiry to the LPA. It was not made clear what the purpose of this would be, or the possibility of an outcome which would support our case.

It is therefore considered by the appellant that the planning application submitted for the proposed development has not been given the due care and attention it warranted.

I look forward to an informed, balanced and positive outcome to this appeal. If I can be of further assistance please do not hesitate to contact me.

Regards

A solid black rectangular box used to redact the signature of Reginald Cormack.

Reginald Cormack