

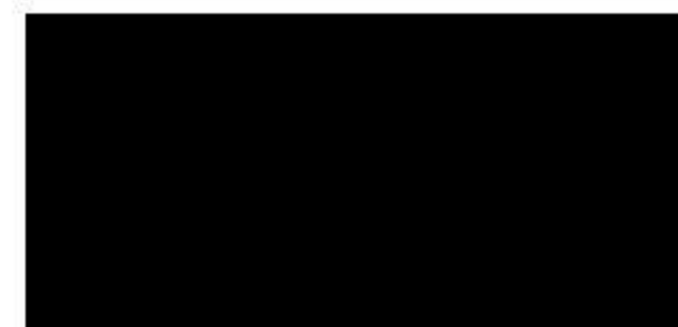
Ref: BC/P16-2880



September 2016

Rachael McMurray
Development Management
Havant Borough Council
Public Service Plaza,
Civic Centre Rd,
Havant PO9 2AX

Vail Williams LLP
Savannah House
3 Ocean Way
Ocean Village
SO14 3TJ



Dear Ms. McMurray,

TOWN AND COUNTRY PLANNING ACT, 1990

RE: Land to the rear of 48 Station Road, Hayling Island, PO11 0EQ

Planning Application Ref: APP/16/00844 – Erection of 1No. 3 bed detached single storey house (revised application)

I am writing on behalf of my client, the residents of 48 Station Road, to object to the above planning application. My client purchased 48 Station Road on the understanding that a small residential dwelling may be situated on the land retained by the seller now known as 'land adjacent to or to the rear of 48 Station Road' to which this application relates. In correspondence at the time of purchase my client was advised of the proposal and assured by the seller that the dwelling would not be within 2.5metres of the new boundary fence between the application site and 48 Station Road. The proposed scheme is closer than this and this issue, among others, is addressed below.

The planning application proposes a single storey, three-bedroom dwelling which is considered a significant overdevelopment on this small backland site. The site is neighboured by the back gardens of residential dwellings and low density commercial uses on Station Road and West Lane.

My client has examined the planning application and, whilst they acknowledge the applicant's desire to provide a residential dwelling on this site, any proposal must be appropriate, and therefore wishes to raise the observations and objections detailed in this letter.

My client has been in contact with you directly regarding a site visit and awaits your proposed dates.

Leading Real Estate Advisors

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Planning History

- APP/15/00037 (Appeal ref.: APP/X1735/W/15/3132354)
 - This application was refused by the Local Planning Authority and the decision upheld by the planning inspectorate due to the impact on living conditions for neighbouring occupiers.
- APP/16/00252
 - This application was refused by the Local Planning Authority due to overdevelopment and the subsequent impact on the living conditions of 48 Station Road.

Foreseen Impacts on the Living Conditions of Occupiers Both Existing and Proposed

- **Poor separation distances due to an overdevelopment of the site creating the above and a sense of enclosure**
- **Negative impact on privacy**
- **Loss of light and overshadowing of 48 Station Road**
- **An out of character pattern of development**
- **Negative impact on neighbouring residents in the form of noise and lights**
- **Flood risk**

The proposed dwelling at 120m² almost completely fills the proposed development site meaning that built form is within 2m of all neighbouring property boundaries. This is considered an overdevelopment of the site and creates a sense of enclosure for neighbouring residents. This sense of enclosure is particularly prevalent for the residents of 48 Station Road who already have the flank wall of number 50 Station Road along their northern boundary. The proposed roof of the new dwelling rises up towards 48 Station Road and at its greatest height (circa 6.4metres) is only two metres from the southern elevation of 48 Station Road. Permitted Development Rights regulations only allow buildings to be up to 2.5metres in height within two metres of the boundary. This demonstrates that the national government consider anything in excess of this height to potentially have adverse impacts on neighbouring amenities.

This sense of enclosure and evidence for the overdevelopment of the site is further expressed through the separation distances provided within the Local Planning Authorities Design Guide Supplementary Planning Document. This document requires the following separation distances:

- Between dwellings of two storeys or less a separation distance of 20m is required to maintain a reasonable relationship between new dwellings and neighbouring properties. The distances between the new dwelling and existing two storey dwellings are as follows:
 - 10m between the rear of 48 Station Road and the west facing elevation of the proposed dwelling.
 - 13.2m between the rear of 11 West Lane and the east elevation of the proposed dwelling.
 - 15.6m between the rear of 15 West Lane and the east elevation of the proposed dwelling.
 - 14.8m between the rear of 42 Station Road and the south facing elevation of the proposed dwelling.
- Where a dwelling faces a blank gable, 10 metres separation distance is required. The third (most westerly) bedroom of the new dwelling faces the flank wall of 48 Station Road, 4m away. We note that the flank wall of 48 Station Road is not a blank gable due to the presence of a number of existing windows on both ground and first floor but this surely makes the situation significantly worse.

The proposed building has been designed in such a way that the windows of all bedrooms and living space look towards the rear of 48 Station Road. This creates a privacy issue as the majority of habitable rooms both at ground level and first floor level of 48 Station Road are located to the rear. This means both future and existing neighbouring residents will look into the windows of habitable rooms even without intention. This is particularly prevalent when looking out of the first floor windows of 48 Station Road. An attempt has been made to include screening but the format this will take is not yet fully understood (the type of tree is not known) and therefore whether this would be successful. Even with screening it will be impossible to screen the views from the first floor of 48 Station Road without casting the proposed dwelling into darkness.

The privacy for residents of the new dwelling, 48 Station Road and 11&15 West Lane will be damaged through the location of two small areas of amenity space situated adjacent to the northern and eastern boundaries. According to the Local Planning Authorities Design Guide Supplementary Planning Document garden length should normally allow 10 metres between the dwelling and the boundary in order to maintain a reasonable relationship between new dwellings and neighbouring properties. It is generally understood that this is the back garden of a dwelling. The length of the rear garden (assumed by the patio to be the main private amenity space) from the eastern elevation to the eastern boundary is a maximum of four to five metres. At many points along the rear of the property the garden lengths are smaller. These very small

gardens mean that the relationship between the new dwelling and neighbouring properties is unreasonable and will be detrimental to the amenities currently enjoyed.

The proposed built form and tree screening are located to the south of 48 Station Road and will therefore overshadow and create a loss of light to the ground floor of 48 Station Road. This overshadowing of private amenity space and habitable room windows is considered a detrimental impact to the living conditions currently enjoyed and therefore contrary to Havant Borough Core Strategy policy CS16.

The local character of the West Lane and Station Road community, within which the proposed dwelling would be situated, consists of two storey dwellings circulating around large rear back gardens (all longer than the preferred 10m garden length as specified in the Council's Design Guide). The proposed dwelling would sit within these back gardens with a rear building line that is completely out of character, appearing as incongruous to the prevailing pattern of development. If this proposed dwelling is permitted it would adversely affect the established character as viewed from the rear of the properties on West Lane and Station Road. This change would be detrimental creating an overbearing feeling of being in a more urbanised location. It is noted that the planning inspector's decision, in allowing the previous appeal, stated that the character of the locality, when viewed from the street, is unaffected but this comment relates to the impact on the character when viewed from the rear of neighbouring properties.

The aforementioned layout of the dwelling and therefore close proximity of private amenity spaces would result in a detrimental increase in noise and light pollution to neighbouring residents from the front, rear and northern side of the proposed dwelling. These pollutants would arise from a variety of sources including:

- ☐ Access lighting adjacent to habitable room windows of 48 Station Road which currently enjoy very low levels of lighting at night.
- ☐ Noise from the future occupier's enjoyment of the proposed dwelling and from the enjoyment currently occurring in the private amenity space to the rear of 48 Station Road. This would create an unreasonable relationship between neighbouring properties and no doubt result in disagreements.
- ☐ Access to the parking at the front of the development site is narrow and poorly lit which would naturally be improved by future residents by additional lighting which would be detrimental to local residents and the character of the area. The character of the area one of no street lighting along this private access road providing a countryside feeling enjoyed by residents.



- Noise from visitors, including deliveries, along the boundary with 48 Station Road preventing existing residents enjoying the private amenity enjoyed within the habitable rooms looking out of the southern elevation of 48 Station Road.

The large scale of the proposed dwelling means that the majority of the plot of land will be covered by hard standing and built form. This creates a surface water flooding risk to both the existing and proposed dwellings. It is disappointing to see that a drainage strategy has not been provided to ensure there is no flood risk to my client's property.

In summary, the new dwelling will compromise the living conditions of both the existing inhabitants of surrounding residential properties and the future inhabitants of the proposed dwelling. This is poor design stemming from the overdevelopment of the site. The site suits a much smaller dwelling which can carefully be designed to protect the living conditions of both existing and future occupiers in the community. This proposal is therefore considered contrary to the National Planning Policy Framework (paragraph 56). This is also contrary to the requirements of Havant Borough Core Strategy Policy CS16 (High Quality Design) and the Council's Design Guide Supplementary Planning Document.

Environmental Concerns

- **Loss of on site vegetation and replacement by a high percentage of hard surfacing**
- **Lack of an Ecology Assessment**
- **Lack of an Arboricultural Assessment**
- **Pressure for felling of existing and proposed trees**

The overdevelopment of the site would result in a detriment to the ecology on the development site and adjacent sites.

On site the existing vegetation would be lost in order to make way for the proposed development which is predominantly hard surfacing and built form. From the planning documents submitted there does not appear to be an ecology or arboriculture report assessing whether any valuable habitats, trees or protected species would be lost.

It is acknowledged that through tree planting some of the vegetation on site will be replaced. The replacement vegetation will however be located in positions that put the vegetation at risk from future



felling either due to overshadowing or the roots of the proposed trees damaging the properties in close proximity.

There are substantial existing trees to the south of the site (outside the red line) which overhang the location of the proposed development and therefore are likely to be under significant pressure for felling due to future overshadowing or risk of property damage from falling debris and/or roots. The loss of these trees would be contrary to the environmental role of the proposed development, as required under the National Planning Policy Framework (paragraph 7) and would also impact the outlook currently enjoyed by existing neighbouring occupiers.

These environmental concerns are contrary to the National Planning Policy Framework and local planning policy including the Havant Borough Core Strategy (policy CS16).

Summary

My client, whilst happy to see a small scale dwelling situated on this site, considers the site to be a wholly inappropriate location for such a large residential property. The constraints on the site do not enable this scale of development to take place without detrimental harm both to the social and environmental roles of sustainable development. The social harm results in a detrimental impact to the amenity and living conditions currently enjoyed by neighbouring properties and the future living conditions of residents in this dwelling should it be permitted. For the reasons outlined above my client respectfully requests that planning permission be refused for the proposal.

I trust that all of the above comments are clear and that they will be given due consideration in the processing of this planning application. If there is any further information you require, please do not hesitate to contact me.

Yours sincerely,

A large black rectangular box redacting the signature of Ben Christian.

Ben Christian - Senior Planner
Vail Williams LLP

A black rectangular box redacting the contact information of Ben Christian.

cc. Residents of 48 Station Road, Hayling Island