

Mr G J Haskins & Dr B Martin-Haskins
17 Lovedean Lane
Waterlooville
Hampshire
PO8 8HH

Date: 6th September 2016

Mr David Eaves – Planning Officer
Havant Borough Council
Planning department
Public Service Plaza
Civic Centre Road
Hampshire
PO9 2AX

By email and post: planning.development@havant.gov.uk

Dear Mr Eaves,

RE: Planning Application APP/16/00820: Proposed erection of a detached two-bedroomed bungalow. Land adjacent 60 Gladys Avenue, Cowplain, Havant, PO8 8HS (former rear garden of 17 Lovedean Lane)

We wish to make you aware of a number of strong objections that we have with regard to the proposed development of an additional property, at the rear, and on the former garden of 17 Lovedean Lane, Cowplain, Havant PO8 8HH, adjacent 60 Gladys Avenue. Planning application number referenced above. As an immediate neighbour to the site of the proposed development, we are of the view that the proposed development will have a serious impact on our standard of living. Our specific objections are as follows:

We make reference to the Havant County Council Core Strategy Framework document dated March 2011, and where appropriate documentation submitted as part of the Planning Application submission.

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
 - b) behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;
 - c) New streets are not dominated by vehicular traffic;
 - d) 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.

Planning permission has been refused on at least two other previous occasions citing non compliance with Policy CS16 of the Havant Borough Core Strategy. These being:

1. *The size and depth of the plot would not allow for development of a standard compatible with the existing surrounding development. As such the proposal would be an incongruous feature within the street scene and an overly dense form of development to the detriment of the visual amenities and character of the area and contrary to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the National Planning Policy Framework.*
2. *The proposed development by reason of its siting and mass, in such close proximity to No 15 Lovedean Lane, would be overbearing and result in an excessive building bulk adjacent to 15 Lovedean Lane, detrimental to the visual outlook, privacy and amenities of the occupier of that property. Furthermore the proximity of the development to No 17 Lovedean Lane would result in the loss of the previously spacious setting and outlook, to the detriment of the occupiers of that property. As such the proposal would be contrary to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework, the adopted Havant Borough Council Borough Design Guide Supplementary Planning Document 2011, and the National Planning Policy Framework.*
3. *The proposed development would constitute an undesirable over-intensive use of the site which would not provide satisfactory amenity provision for future occupiers being a substandard contrived area and being overlooked by 15 and 13 Lovedean Lane. The use of this amenity space would also have an adverse effect on the amenities of occupiers of the adjacent property at 15 Lovedean Lane. As such the proposal would be contrary to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework, the adopted Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.*

We believe that the new proposed development/planning application proposal is still a direct contravention of the above policy, if not worse than the previous planning application. It does not respect local context and street pattern or, in particular, the scale and proportions of surrounding buildings, and would be entirely out of the character of the area, to the detriment of the local environment.

Within the applicants Planning, Design & Access Statement, it refers to the cover picture to illustrate the available plot/space. This picture is an historic picture and bears no resemblance to the present day. Please refer to Photograph 1 which is appended to the back of this letter. As can be seen, the actual plot available, formerly the garden of 17 Lovedean Lane, is very small and very much out of character with the other existing plots within Lovedean Lane and Gladys Avenue to even be considered for further development.

Due to the position of 15 Lovedean Lane extending well past the building line of 17 Lovedean Lane and the trees to the east of the building, and the application to erect a building on the small plot of land at the rear of the garden this would effectively box in 17 Lovedean Lane. A loss of privacy, our visual amenities and being overlooked.

Within the submitted documentation there is contradiction on what the applicant perceives to be the overall area of the site. The Planning, Design & Access Statement states 0.024 hectare

(240sq.m) whilst the Drainage Strategy document states 250sq.m. Neither are correct. As advised as part of the previous application comments/responses, the site was physically measured by Keith Myhill and the previous owner of 17 Lovedean Lane, Craig Ritchie. It concluded that the measurements, including areas not possible to build on (further exaggerating the available area), equated to an area of 228sq.m. This 6% and 9% below the applicants quoted areas.

There is currently an absence of proposed plans, elevations and sections of the proposed development, with drawings limited to an overall site plan only, plus extracts within the applicants proposed drainage strategy document. As is referenced within the Planning, Design & Access Statement, consultation took place, however we verbally advised the applicant that we would liaise with the Planning department only. As part of the documentation issued was drawing no. 347/03 sheet 03, Plans & Elevations (copy attached for ease of reference). In conjunction with the submitted site plan, in the absence of submitted drawings, we will make reference to these. As and when further plans, elevations and sections are submitted, these will be subject to further review and comment.

The properties along Gladys Road and Lovedean Lane are typically characterised by large plots with large spacing between (refer to the aerial picture Photograph 1 appended to the back of this letter). The proposed dwelling would be just 1.6m from Gladys Road and 5.6m from the boundary with 15 Lovedean Lane and just over 1m from the boundary with our property 17 Lovedean Lane. Not 2.144m to Gladys Road and 6.038m to the boundary with 15 Lovedean Lane as indicated on the site plan.

Within the Applicants Planning, Design & Access Statement, it is stated on page 3: 'Paragraphs 5.05 and 5.06 of the 'Borough Design Guide Supplementary Planning Document' (2011) state that 'Garden length should normally allow 10 metres between the dwelling and the boundary''. As can be seen from the above, the proposed development is achieving just over 10m from the wall of our house let alone 10m from our boundary. Again this contravenes requirements under the core strategy CS16 items 1c and 1e. Please refer to Photographs 3 appended to the back of this letter which gives current views from the house to the rear fence. With the close proximity of the proposed new development, our outlook will become very imposing and we would effectively become boxed in and overlooked losing our visual amenities.

The submitted proposed site plan indicates that our existing fence is 2.0m high. This is incorrect, the fence is 1.8m high and further compounds our concerns in respect of being overlooked and invasion of privacy, a further contravention of core strategy CS16 under items 1c and 1e.

The proposed dwelling is a detached bungalow, yet its proportions are smaller than the neighbouring bungalows, semi-detached properties and a great deal smaller than our neighbouring detached property (refer to the aerial picture appended to the back of this letter for comparison). In the absence of submitted plans and elevations, looking at the drawing issued during the consultation stage, the proposed building is in excess of 5.6m high. Based on the finished floor level indicated on the drawing and a height of 1.8m of our fence, this extends 3.5m above the fence level. The proposed location of the buildings kitchen window looks directly into our property and extends in excess of 200mm above the fence level.

However, though the above finished floor level invert was taken from the consultation issue drawings, the level is contradicted within the applicants submitted drainage strategy. Within the

drainage strategy it states a finished floor level as 67.75, 0.75m higher than the drawings, compounding our concerns further in respect of being overlooked, invasion of privacy and loss of visual amenity. The proposed building would extend 4.25m above the level and the proposed location of the kitchen window not only looks directly into our property but would extend entirely above the fence level.

Another clear contravention of core strategy CS16 items 1c & 1e.

Reference is made within the Planning, Access & Design Statement 'Written Ministerial Statement: Planning for Growth' of March 2011. With the clear contraventions of core strategy CS16, This reference is not relevant.

Reference is made within the Planning, Design & Access Statement to Paragraph 50 of the NPPF focusing on innovation. There is no proposed innovation within the proposed development from documentation submitted to date.

Within the Planning, Design & Access Statement reference is made to household sizes recorded within 'Housing Supplementary Planning Document' (2011). With the concerns and clear contraventions to the core strategy requirements, this reference is not relevant.

Reference is made to no.44 Gladys Avenue in respect of granting planning permission. Not knowing the history of this application, and the clear contraventions of core strategy CS16, invasion of privacy, overlooking, drainage concerns, comparison is not relevant in this case.

With the clear contraventions to core strategy CS16, reference to Section 38 of the 'Planning and Compulsory Purchase Act 2004 is not relevant within the Planning, Design & Access Statement.

The design of the proposed development does not afford adequate privacy for ourselves or of adjacent residential properties, particularly with regard to our right to the quiet enjoyment of garden amenities.

We would also urge you to consider the responsibilities of the council under the **Human Rights Act** in particular **Protocol 1, Article 1** which states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land.

We believe that the proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property.

Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life.

In the case of *Britton vs SOS* the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.

Policy CS17 Concentration and Distribution of Development within the Urban Areas

Development will be permitted that makes the most effective use of land in the borough by granting planning permission that:

1. Concentrates new housing, employment, retail, leisure and other development within the five urban areas of Havant, Leigh Park, Waterloo, Emsworth and Hayling Island, as shown on the Proposals Map.
2. Prioritises development on previously developed land, including redundant, derelict or underused land and buildings within the urban area.
3. Broadly distributes the new housing and employment development in the five areas of the borough as indicated on the Spatial Distribution Map (Key Diagram).

Development in the non-urban areas will only be permitted if it is consistent with the policies for the countryside set out in national policy.

Considering the clear contraventions to core strategy CS16, reference that is made within the Planning, Design & Access Statement is not relevant.

Policy CS9 Housing

Planning permission will be granted for housing proposals that will: -

1. Contribute to achieving a net total of 6,300 new dwellings between 2006 and 2026.
2. Deliver on average 30-40% affordable housing on sites of 15 dwellings (gross) or more and secure a suitable contribution, or on-site provision, equivalent to on average 30-40% on smaller housing developments between 5 and 14 dwellings (gross), unless a lesser requirement has been transparently justified on viability grounds.
3. Ensure mixed communities are created through the planned distribution and avoidance of a concentration of affordable housing.
4. Achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form.
5. Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities.
6. Provide accommodation for the ageing population in sustainable locations, taking account of the need to provide for a variety of care needs and flexibility to accommodate differing requirements of ageing care.
7. Contribute to achieving 450 extra-care dwellings between 2006 and 2026.
8. Ensure housing development is delivered in a phased manner with an appropriate proportion of previously developed land so as to avoid unnecessary development on greenfield urban extension sites.

On the basis of the evident contraventions in respect of core strategy CS16 outlined above, reference within the Planning, Design & Access Statement is not relevant in this case.

Reference is made within the Planning, Design & Access Statement to Local Plan Policy AL1 ('Presumption in favour of Sustainable Development'). Within documentation submitted to date, there are no sustainable measures proposed. Utilising an air source heat pump does not constitute sustainable measures, it would be an added noise pollution, and under normal planning conditions when it comes to external noise levels, we would expect noise levels of any

plant to be 10dB below existing daytime and night time levels at the nearest residential property.

Policy CS15 Flood and Coastal Erosion Risk

Development in areas at risk of flooding now and in the future as identified on the latest Environment Agency flood risk maps and Strategic Flood Risk Assessment climate change maps will only be permitted where:

1. It meets the sequential and exception test (where required) in relation to PPS25.
2. The site is located in a low hazard area as defined in the Strategic Flood Risk Assessment.
3. A site-specific flood risk assessment demonstrates that the development will be safe, including the access, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
4. The scheme incorporates flood protection, flood resilience and resistance measures appropriate to the character and biodiversity of the area and the specific requirements of the site.
5. Appropriate flood warning and evacuation plans are in place.
6. New site drainage systems are designed taking account of events which exceed the normal design standard.

All development will be required to ensure that there is no net increase in surface water run off. Priority should be given to incorporating Sustainable Drainage Systems (SuDS) to manage surface water drainage, unless it is proven that SuDS are not appropriate. Where SuDS are provided arrangements must be put in place for their whole life management and maintenance.

The council will work with partners to implement the Coastal Policy Zones in the North Solent Shoreline Management Plan to ensure that development avoids areas at risk from coastal erosion and coastal flooding and that areas required to offset coastal squeeze and prevent habitat fragmentation, to allow species to adapt to climate change, are identified and protected from development.

The land associated with the latest planning application was the former garden of 17 Lovedean Lane that had been hived off by the previous owner/developer in the hope of cramming in another development to maximise their outlay/profit (terminology effectively being 'garden grabbing'). Being a green field site, surface drainage is afforded, as you would expect any other garden to be, by natural infiltration.

A drainage strategy has been submitted as part of the applicants planning submission, Document ref: D1154/DS/1.2 dated May 2016. Upon review of the document, I have the following comments:

- The site area stated within the report and utilised for the existing run-off rate calculation is incorrect and not even consistent with the Applicants other submitted documentation.

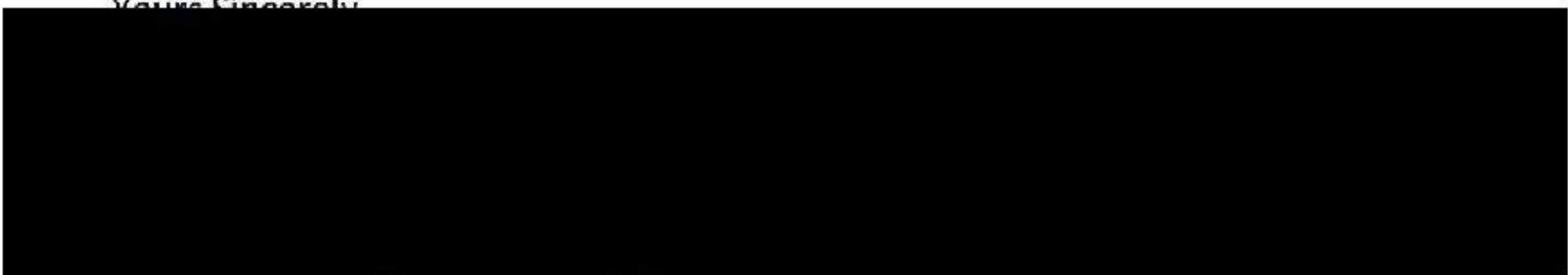
- There is a clear increase in surface water run-off as a consequence of the introduction of the building, associated driveway & pathways. Without attenuation storage and a controlled release into the surface drainage area infrastructure, this contravenes requirements of core strategy policy CS15.
- The strategy states that is proposed to discharge the run-off from the proposed roof into the porous paving system/soakaway where it will infiltrate in to the ground. Looking at the proposed drainage drawing. All the surface drainage discharges to within a soakaway situated at the rear of the plot immediately adjacent to the boundary line with 15 Lovedean Lane. The land slopes down towards the boundary and there is a clear step in ground levels between the rear of the proposed plot and 15 Lovedean Lane in the region of 0.75m. Therefore, the water from the soakaway will not infiltrate into the ground, it will dissipate down to adjacent properties, thus increasing the potential of flood risk to no. 15, 13 & 11 Lovedean Lane. This contravenes requirements of core strategy policy CS15.
- The strategy states, despite the vast increase in impermeable area on the site, and the resulting increase in surface water run-off, that there is no increase in the risk of flooding. On the basis of my comment above, this is incorrect.
- Permeable/porous paving does not constitute surface water storage, it is a soakaway that is un-controlled that effectively discharges into a large soakaway at the rear of the property and then into adjoining properties.
- The strategy states that no site investigation has been undertaken, and the suitability of a soakaway in the first instance has not been established/investigated. Therefore, how can the strategy state 'The surface water drainage strategy shows that the development can be implemented without increasing flows on to adjacent land or to existing water drainage systems, ensuring that flood risk is not increased.' Ultimately, the volume of water will be increased, and the only location that this will be dissipated is to adjoining properties, thus increasing the potential of flood risk to these properties.
- The strategy states that foul water will discharge into the public foul water sewer and refers to drawing no. 2016/D1154/SK300. Looking at this drawing, it states a finished floor level of the property as 67.75. This equates to 0.75m higher than the finished floor level stated on the plan/elevations drawing issued as part of the consultation documentation. If it is indeed at this level, it further compounds our concerns in respect of being overlooked, invasion of privacy and loss of visual amenity. This contravenes CS16 of the core strategy.
- If the building finished floor level isn't 67.75 and is 67.00 as per the plan/elevations, it raises the question of feasibility of gravity connection, with required falls, to the public foul water sewer within Gladys Avenue. The strategy states that the sewer is subject to

further survey, however a sewer connection being approx 0.75m below ground level with a fall of 1:50 (approx. 0.14m) equates to an invert/connection level to the sewer of 66.11. The Gladys Avenue road level is 68.00 within this vicinity. Therefore I very much doubt that the sewers will be 2.0m below Gladys Avenue road level. Connection to local infrastructure does not appear possible without raising the building levels itself thus compounding the issue in respect of being overlooked, invasion of privacy and loss of visual amenity. A clear contravention of CS16 of the core strategy.

Within the consultation section of the Planning, Design & Access Statement, of the minimal number of responses received by the applicant from the consultation process, the primary reason the plans met favourably with the 4no. addresses referenced (of which only 1no. is impacted by the proposed development) appears to be the state of the current plot of land. As I have mentioned previously, the land in question was the former garden of 17 Lovedean Lane that was hived off by the past developer/builder with the intention of cramming in another development within the plot. The area was fenced off and not adequately maintained by the developer/builder, hence its current condition. This area was once a landscaped environmentally and aesthetically pleasing garden, grass with trees and borders. Please refer to the Photographs 2, appended to the back of this letter, of how the garden used to look/be maintained. This area should be returned to a garden, environmentally and aesthetically pleasing. Not another development in an undersized plot within an already over developed densely populated area.

We hope the above and attached is self explanatory and we would be grateful if the council would take our objections into consideration when deciding this application. We would welcome the opportunity to meet with a representative of the planning department at our home to illustrate our objections at first hand.

Yours Sincerely,



G J Haskins LCIBSE, Eng tech, MIET
& Dr B Martin-Haskins BSc, DC, FMCA



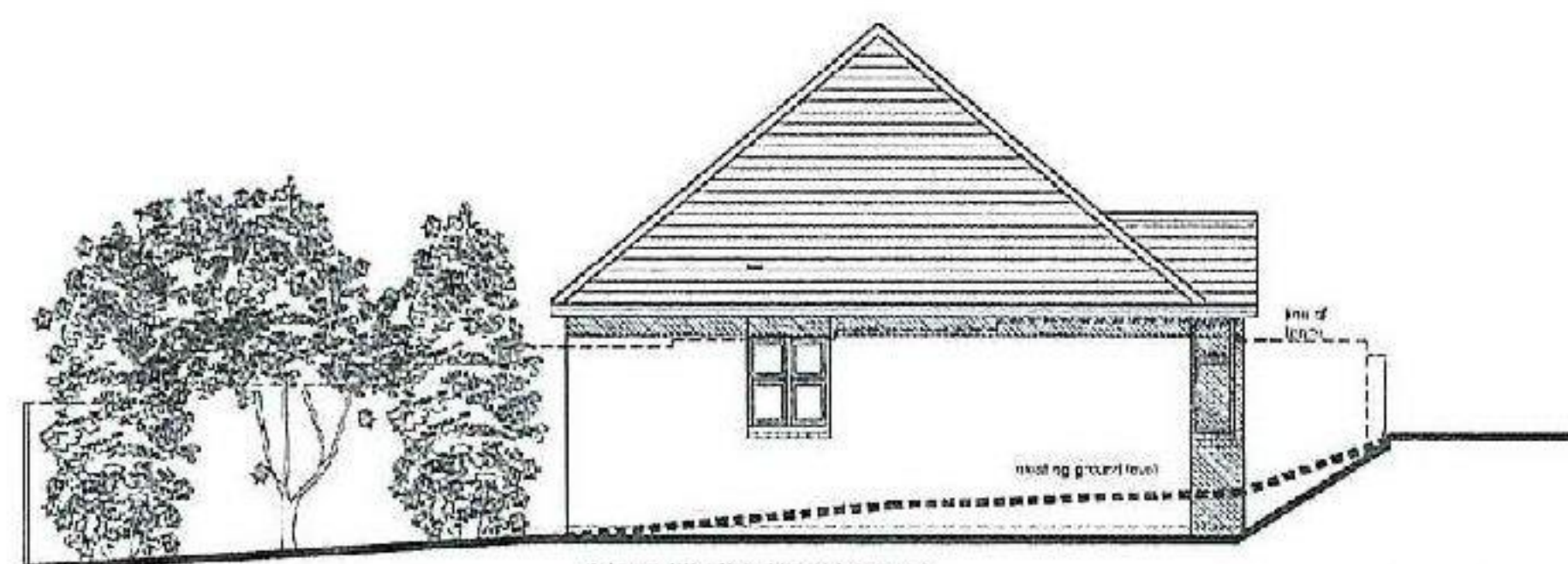
FRONT ELEVATION-West



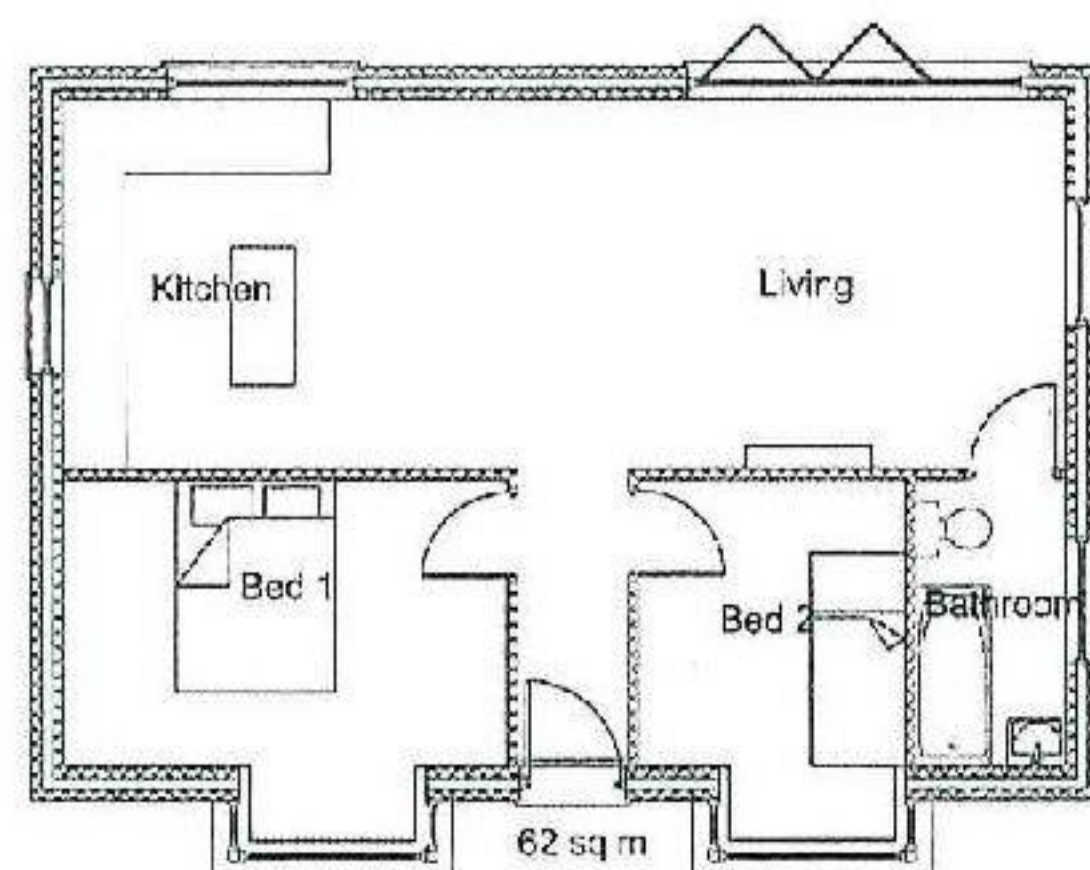
SIDE ELEVATION-South



SECTION THROUGH PARKING BAYS-South

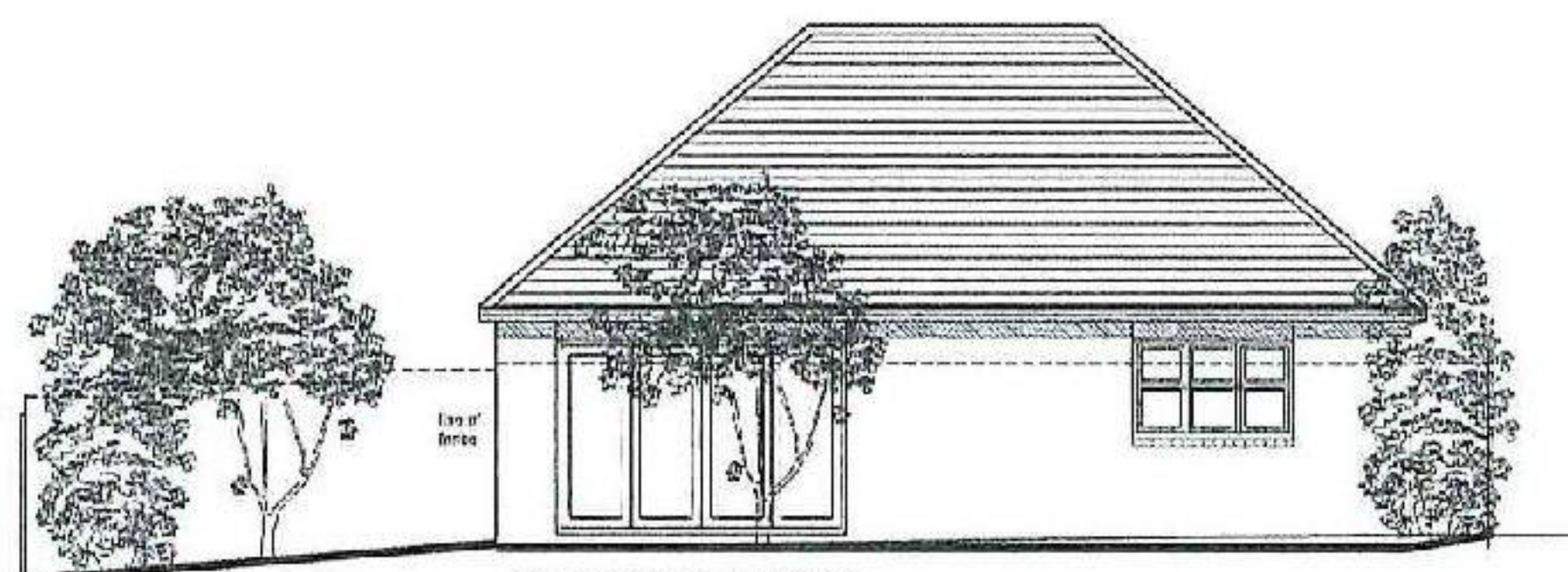


SIDE ELEVATION-North



GROUND FLOOR PLAN

1m 5m



REAR ELEVATION-East

A3

Plan & Elevations 1:100

No.	Revision/Issue	Date
Project Name and Address		
Land to the Rear of 17 Lovedean Lane Cowplain PO8 8HH		
Project 50/23	Sheet	
Drawn 9/03/18	03	
Scale 1:100		
17 Eastern Parade, Farnham, Hants PO16 0RL d.cdesign@tiscali.co.uk 07742720557 01329 221329		

PHOTOGRAPH 1 - AERIAL VIEW VICINITY OF PROPOSED SITE AND EXISTING ADJACENT PROPERTIES



Denotes area of proposed/submitted planning application



Denotes area of existing adjacent plots

PHOTOGRAPH 2 - HOW THE PLOT USED TO LOOK

SITE PHOTOGRAPHS - REAR OF 17 LOVEDEAN LANE, WATERLOOVILLE



View from raised terrace of No. 17 looking towards No. 60 Gladys Avenue.



View from raised terrace of No. 17 looking towards boundary with Gladys Avenue.

PHOTOGRAPHS 3 - VIEWS FROM 17 LOVEDEAN LANE



VIEW FROM FIRST FLOOR MASTER BEDROOM



VIEW FROM KITCHEN