



**Ms Josephine Lacey
Planning Development
Public Service Plaza
Civic Centre Road
Havant
PO9 2AZ**

23 October 2024

Dear Ms Lacey via email only to planning.development@havant.gov.uk

Re: Planning Application APP/24/00679 – 63 Sinah Lane, PO11 0HJ

I have these further concerns on the planning application above.

The wording of the Planning Application Proposal

The proposal of the planning application that has been submitted is to:

“Variation of conditions 2 and 3 of APP/21/01301 to regularise as built changes to external materials and fenestration.”

It is not to approve the planning application as per the revised drawings, which we have already reported and proved to be an inaccurate representation of what has been built.

Could I suggest that it would not be appropriate for the Council to grant permission for this planning application as the supporting drawings do not reflect what has actually been built

The applicant and constructor of the development has now had two opportunities to provide accurate and representative plans, and I now believe that enforcement is now due.

Pre-application Advice

The planning application advice section confirms that pre-application advice was sought and received, but the box was not completed with details of the pre-application advice received, instead a statement was made “Please see email correspondence”.

Should the Council have insisted that either the box was completed, or alternatively identified as a separate document on the HBC database the email correspondence relating to the pre-application advice?

Application Number: App/21/01301 Decision Notice

We note a key clause in the decision notice is:

Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning and Development service at the Plaza or by telephoning 023 9244 6015.

We also note that the owner of the property performed the works, and that the original planning application gave a detailed specification of the materials to be used.

Application Number: App/21/01301 Delegated Report

Paragraph 7.3 is not completely correct:

The proposed works would involve a hip to a barn hip roof on both sides of the property. The existing front dormer would be removed and replaced with a new dormer, proposed front extension and a canopy porch. Furthermore, there would be a rear extension and external alterations, including an additional window to the existing rear dormer and its cladding with light grey cladding to match that proposed for the front elevation alterations.

There is not one, but **two** additional windows to the rear, both of which have been constructed significantly lower than the approved plans and lower than the plans in APP/24/00679. We have already commented that the cladding used was not approved.

Paragraph 7.10 is not completely correct:

To the rear there would be a door and a window within the proposed rear extension and lanterns on the roof. Due to the existing screening along all sides and facing out onto the rear garden it is not considered to cause harmful overlooking. At first floor level there would be two velux cabrio balconies and an additional window within the rear dormer. The carbio balconies would create a degree of overlooking however as there is existing overlooking on site and due to the separation distance of approximately 31 metres from the rear wall of [REDACTED] St Catherine's Road, which exceeds the requirements for separation set out in the Borough Design Guide SPD, they are not considered to cause harmful overlooking.

Prior to the App/21/01301, there was **no overlooking from the two east facing windows** as they were of completely opaque glass, and since 1989, we never saw anyone behind those windows.

The separation distance is not 31m, but 29m.

The two Velux cabrio balconies provide significant overlooking as documented in our letter dated 13 October 2024.

Borough Design Guide Supplementary Planning Document (SPD)

On Page 46 paragraph 5.41 states:

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.

The 20m separation is not specified as the minimum separation below which objections become invalid, but instead, the minimum. We would suggest that the true intention is that CS16 requires separation to be sympathetic to existing separations in the vicinity, but under no circumstances should it be less than 20m. Looking at neighbouring properties, we would suggest that the existing separation does not automatically confer a right to have effectively two viewing platforms constructed to have direct and unimpeded visual access to both [REDACTED] garden and ground floor rooms from someone lying down in bed, as is the case.

On Page 46 paragraph 5.42 states:

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.

However, the drawing 21094-411 shows the extension to be 8m long, and far in excess of the SPD requirements, and not commented on in the delegated report, and we are concerned that this extra-long and out of character extension may not have been considered.

Summary

Notwithstanding the construction not being in full compliance with either set submitted drawings with both planning applications, we believe that an acceptable compromise could be reached, although we would prefer full compliance with the original drawings and no overlooking from the east facing windows except on tip-toe, as per both sets of submitted drawings.

The compromise we would suggest is that the Velux windows are replaced with roof and tiling for the lower 50%, and the upper 50% of each window replaced with a half-height window hinged at the top. There are large windows to the west of the property, and we suggest these would provide sufficient natural daylight.

It would be wholly unacceptable for the building, as constructed, to be granted retrospective planning approval.

Thank you for reading our representation.

Yours sincerely

