

12 March, 2020

Dear Sir / Madam,

Application Refence Number: APP/20/00050

Site Address: 18 Hemsley Walk, Waterloooville, PO8 8JW

We OBJECT to this application for the following reasons:

- **Certificate of Ownership**

We note that the applicant has signed the Certificate of Ownership – Certificate A stating that nobody except himself is the owner of any part of the land or building to which the application relates. According to the deeds for our property 'It is hereby declared that the wall[s] separating the dwellinghouse on the property from the adjoining dwellinghouse[s] ...known as Nos. 18...Hemsley Walk Cowplain aforesaid shall be deemed to be a party wall...'

With this in mind, we wish to bring to your attention that we have received no communication from the applicant regarding his intention to develop on either the party wall or on his own property which is joined to this. This contravenes the Party Walls Act 1996. Neither have we received any communication from him during the works he has carried out so far. According to the National Planning Policy Framework ('Examining Plans') 35...'Plans are 'sound' if they are...c) ...based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred...' On three occasions (7, 11 and 13 September 2019) a member of the applicant's family asked permission to come onto our property to work on the development. This we granted, in accordance with our property deeds with regards to their home renovations.

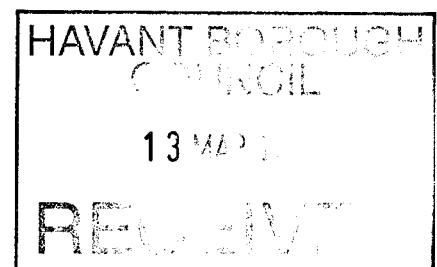
On one of the occasions the family member said that they would put a gutter on our side of the wall. We were not asked our opinion about this (or any other part of the development), despite it being on a party wall.

- Effect on daylight

The conversion from a flat roof to a pitched roof - built in very close proximity to our living room window at the front of our property - has caused a **detrimental reduction in the amount of daylight** entering our ground floor rooms. Regarding proximity, the wooden beam the applicant has erected along the top of the party wall on our side is 70mm from our window frame, and the roof tiles are 50mm from our vertical wall tiles. We noticed on the day following the raising of the roof (8 September 2019) that not only was the natural light in the living room significantly less than at the same time on the previous day, but even the natural light entering the kitchen at the back of our house was considerably less. This inevitably has led to greater electricity usage, higher energy bills, a sense of enclosure and less enjoyment of our property. All of these consequences contravene the 'National Planning Policy Framework 2. Achieving sustainable development' paragraphs 7 and 8:

'The purpose of the planning system is to contribute to the achievement of sustainable development... Achieving sustainable development means that the planning system has... objectives... a social objective – to support... healthy communities,... by fostering a well-designed and safe-built environment with open spaces that...support communities' health, social and cultural well-being; and an environmental objective – to contribute to protecting and enhancing our natural environment, including... using natural resources prudently ...moving to a low carbon footprint.'

Please see below photographs illustrating the overshadowing our property now receives caused by the development.





Photograph taken 23 December 2019 at around 10:50.

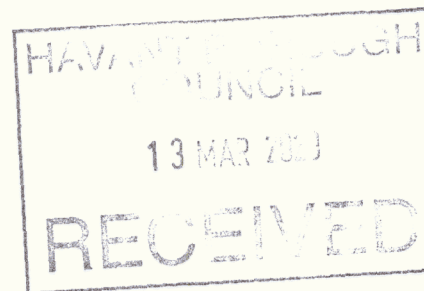




Photograph taken 18 January 2020 at 11:55.



Photograph taken 18 January 2020 at 12:40. The shadow left after 14:00.





Photograph taken 17 February 2020 just before 11:00.



13 MAR 2020

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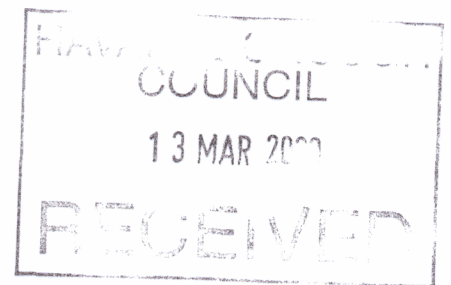
Photograph taken 8 March 2020 at 11:35.

Interestingly, we believe a photograph submitted by the applicant also shows the shadow falling from the development onto our ground floor (living room) windows in contrast to the sunlight that falls on the ground floor window of his own property due to the flat roof (shown) of his neighbouring property. Please see 'Additional Photographs' Page 3 of 3 submitted with the application form. When considering the detrimental effect the development's overshadowing has on our property kindly also refer to the measurements we have mentioned in the following section.

- Design, appearance and layout

The erection of a pitched roof, connected – as it is – at a 90 degree angle to the front of our property, has **increased the amount of rainwater** we receive on what is, as previously mentioned, our side of a party wall. According to Havant Borough Council's Borough Design Guide Supplementary Planning Document December 2011 4.37 'In line with ...Core Strategy Policy CS15 Flooding and Erosion Risk, all

new development in the Borough is required to ensure that there is no net increase in surface water run off.' This corner of our property has long been susceptible to damp, and more rainwater will only serve to exacerbate the problem. In fact part of our side of the party wall which has been treated for damp in the past has been blocked by the development.



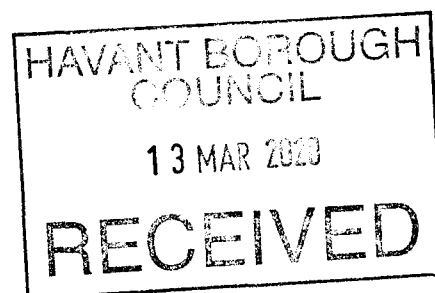
This contravenes the Havant Borough Local Plan Core Strategy March 2011 (Table 1.1, 7. Caring for Our Borough): 'In accordance with PPS1 and the South East Plan... It is also important that new development sits well with its neighbours and does not have an adverse effect on their existing uses and amenity.'

The National Planning Policy Framework states that 'effective engagement between applicants, [and] communities' is 'essential' for achieving good design ('12. Achieving well-designed places' NPPF paragraph 124). Furthermore it states that 'Applicants should work closely with those affected by their proposals to evolve designs that

take into account the views of the community' (paragraph 128). As previously stated, the applicant's family member informed us about the erection of a gutter. If we had had the opportunity to discuss this with the applicant we would have said that we do not want this as it will cover part of our living room window (with the wooden beam being as it is 70mm away from it) and cause further loss of daylight to our living room and kitchen. The visual amenity of the wall will also be damaged by the presence of a gutter, even more so than since the development began.

A lack of 'effective engagement' between the applicant and the community (NPPF 12. Paragraph 124) is again illustrated by the question of who will maintain the gutter, as having a gutter at the decision of the applicant on our side of the party wall will mean, we believe, that the responsibility to maintain it will fall not on the applicant but on ourselves and any future owners at our address. This is another concern for us, and brings into question Policy CS16 'High Quality Design' 2.a)'The layout of the development...makes provision for the management and maintenance of the development'. The same also applies to the part of the pitched roof itself that falls on our side of the party wall.

Regarding the appearance of the development, we must state that the pitched roof is completely **out of character** with all the surrounding residences. All the properties on our side of the road have flat roofs at the front. This is illustrated by the photograph below from Google Maps, and we would also like to point out that the 'Additional Photographs' pages 2 and 3 submitted by the applicant demonstrate how out of character the development is with the flat roofs of the surrounding properties.





Photograph taken from Google Maps showing flat roofs in Hemsley Walk, prior to development.

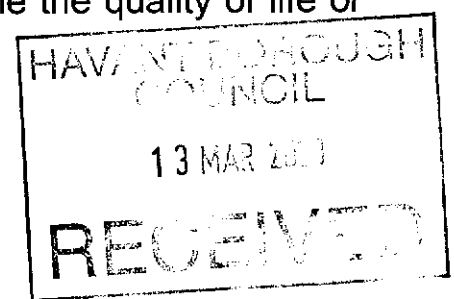
The development is noticeable from Wesermarsch Road (at one end of Hemsley Walk) despite being situated near the middle of the road – nine houses in. In this way, the development goes against Policy CS16 High Quality Design: 'All development should demonstrate that its design: 1. ...respects local context and: ...c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing building lines, plot widths and depths, materials...' Also, with regard to massing and heights the Havant Borough Design Guide Supplementary Planning Document December 2011 states that 'New developments should follow the typical pattern of existing properties, looking to immediate neighbours first. The mass [or height] of a new building or extensions should not be allowed to dominate the street' (Table 4.1). The scale of the development is entirely out of keeping with all the surrounding properties. Looking at the photograph showing the dimensions quoted by the applicant, we must comment that the height of the development starts at 3400mm from where the pitched roof joins with the walls of the main living areas and then graduates increasingly towards the road to reach 3550mm, measuring from our side of the party wall. This adversely affects the daylight we receive inside our property (please see bullet point 1) and leads to a loss of outlook. The plan detailing the boundaries of the development does not show that the pitched

roof development extends onto our side of the party wall, which goes against the Borough Design Guide which states in 4.48 Table 4.1 'The width of the plot and width of the proposed building should be similar to that prevailing in the local area, looking to the immediate neighbours first'. All other flat roof porch extensions at the front of residents' properties on Hemsley Walk respect the mid-party wall boundary between their properties. This widening has been done without consultation with us and without our permission.

The adverse overbearing scale of the development has resulted in a **loss of outlook** as it has created an oppressive sense of enclosure. 'New porches should,' writes the Borough Design Guide Supplementary Planning Document, 'enhance rather than detract or overwhelm.'

We also note that on the planning application question 10: Materials the applicant has failed to mention the wooden beam that extends along the width of our side of the party wall, and also the wooden slats used at the front of the pitched roof. We query his 'don't know' answer regarding external lighting, as we have not received 'effective engagement' from the applicant with regard to any of the development to date.

This development could **create a precedent**, as other homeowners on the estate may think it a good idea to extend their own properties in a similar way. We would expect this to lead to an adverse effect on the residential amenities of neighbouring owners as they lose their existing views and daylight, and antisocial behaviour could increase in the locality because of it. Thus it would contravene Policy CS16 point 2a) where 'The layout of the development reduces opportunities for crime and antisocial behaviour...' Also NPPF guidance '12. Achieving well-designed places' paragraph 127: 'Planning policies and decisions should ensure that developments: (f) create places that are safe, inclusive...which promote health and well-being with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'



We look forward to a satisfactory resolution to this issue, which for us would mean a return to a flat roof in keeping with the other properties around the development. Should it be decided that the application is accepted, we would request that conditions be applied: Firstly, that the height of the development be agreed between the Local Planning Authority, the applicant and ourselves, so as not to adversely affect the outlook of our property and ensure no adverse overshadowing occurs. Also, that the mid-party wall boundary be respected and the new development sit flush with this (as the original flat roof did previously). Further to this, we understand from the application that the development is unfinished, therefore we would wish to have details of any further building work sent to us in order for us to comment on it.

Thank you for your consideration.

Yours faithfully,

