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PO8 8HH

2nd July, 2017

Mr David Eaves – Planning Officer
Havant Borough Council
Planning department
Public Service Plaza
Civic Centre Road
Hampshire
P09 2AX

Dear Mr Eaves,

RE: Planning Application APP/17/00651: Demolition of existing outbuilding and erection of 1No. 2 bedroom bungalow. Land adjacent to 60 Gladys Avenue, Cowplain, Waterlooville PO8 8HS

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 P08 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.

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

The reasons for the Council's decision to refuse planning permission on the last occasion, planning application APP/17/00068 being:

1. *The size and depth of the plot would not allow for residential development of a standard that is compatible with the existing surrounding development. As such the proposal would be an incongruous feature within the street scene and would appear as a cramped and over intensive form of development to the harm of the visual amenities and character of the area and be contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*
2. *The proposed development would by reason of its siting, proximity to boundaries, mass, bulk and changes in levels have an overbearing impact on 15 and 17 Lovedean Lane. The proposal would detract from and dominate the previously spacious setting and outlook from these properties and introduce an unacceptable relationship between dwellings to the harm of the residential amenities of the occupants. The rear private gardens of No. 15 and 17 and their rear rooms would also be in close proximity to the limited private amenity space of the proposed dwelling and this is likely to lead to loss of privacy and disturbance from noise and activity. The proposal is therefore considered to result in an unacceptable relationship to adjoining residents and is contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 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 private amenity space for future occupiers. The amenity space would be overlooked by 17 and 15 Lovedean Lane to the harm of the occupants privacy. Furthermore, the proposals to set the dwelling into the slope and the frontage boundary treatment would result in the front lounge within the proposed dwelling having a poor outlook and restricted light. The rear kitchen/dining area windows would also face a fence and landscaping area within close proximity and the side kitchen door and window would be directly overlooked further harming the residential amenities of future residents. As such the proposal would be contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.*
4. *The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Recreation Mitigation Project, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning*

Authority. These seek to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. The development is therefore contrary to policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.

In coming to its decision the Council considered plans and other documents submitted with regard to your application and the relevant policies of the Havant Borough Local Plan and other planning policy documents including the National Planning Policy Framework 2012.

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

Please refer to Photograph 1 which is appended to the back of this letter. As can be seen, the proposed plot available, formerly the garden of 17 Lovedean Lane, is very small and very much out of character with the size and extent of the other existing plots within Lovedean Lane and Gladys Avenue to even be considered for further development. The applicants dimensioned site plans and Design/ Access Statement indicate a plot size of 230sq.m. However, upon careful review and measurement, the plot equates to only 219sq.m, and this being generous as the site plan does not take account of loss of area due to the adjacent telegraph pole on Gladys Avenue.

Furthermore, the site plans breakdown of respective areas is also incorrect. It states a garden area of 85sq.m and a building area of 59sq.m. Based on the applicants advised overall area of 230sq.m, this leaves the car parking area and access path as 86sq.m? Larger than the property itself.

The properties along Gladys Avenue and Lovedean Lane are typically characterised by large plots, with large spacing between respective properties (refer to the aerial picture Photograph 1 appended to the back of this letter). The proposed dwelling would be just 4.3m from Gladys Avenue, 0.85m from the boundary with 15 Lovedean Lane and 6.0m from the boundary with our property 17 Lovedean Lane.

Within the applicants Design & Access Statement it states:

'In accordance with the advice proffered at paragraph 188 of the NPPF (re. 'Preapplication engagement and front loading'), the applicant recently invited the views of occupants of Nos.13-17

Lovedean Lane and Nos.48-60 and 63-69 Gladys Avenue and Councillor Cheshire on this proposal. No responses were received from the occupiers of Nos.13-17 Lovedean Lane or 23, 42B, 46, 48, 52, 54, 56, 58, 63, 65 and 67 Gladys Avenue.'

The above is factually incorrect. No consultation in respect of the submitted application/plans has been undertaken or received by ourselves from the applicant. It can be also confirmed that this is the same case for 15 Lovedean Lane and also Councillor Cheshire.

Within the applicants Design & Access Statement it states, 'It is submitted that a modest detached hip-roofed bungalow on this under-used urban land in a sustainable location would accord with the context of the area, represent a natural transition between its immediate neighbours, would widen housing choice in the manner called for by the Borough Council and not compromise any key sustainable development principles of national planning policy.'

This is clearly not the case, of this plot, formerly a part of the rear garden of no.17 Lovedean Lane. The erection of what can only be classed as a two-bedroom granny annex in such a small plot is not only undesirable to residents of the area, it is also out of keeping with the surrounding area (refer to Photograph 1 appended to the back of this letter).

The Design & Access Statement makes reference to the requirement of properties within the Waterloo area. There are already developments of houses being built within the Waterloo area in London Road and Lovedean Lane itself. These developments are on sizable plots that can accommodate such developments. This application does not and constitutes an over development on what can only be described as a small garden.

Due to the position of 15 Lovedean Lane extending well past the building line of 17 Lovedean Lane to the East and the very mature trees to the West 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, loss of light, our visual amenities and being overlooked.

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 0.85m to the boundary of no.15 Lovedean Lane and just 6.0m from our boundary at no.17. Again, this contravenes requirements under the core strategy CS16 items lc and le.

Within the applicants Design & Access Statement, they include photographs from our property, 15 Lovedean Lane and views allegedly from the plot itself. These photographs are not a true reflection of views of the plot/proposed development from the respective properties of 15 & 17 Lovedean Lane. The views from the houses/gardens are estate agent pictures taken prior to our purchase of the property and taken to 'sell' the property and do not even focus/take account of the adjacent plot (formerly the garden of 17 Lovedean Lane). Furthermore, the photographs from the plot itself appear to have been taken at ground level amongst the grass & plants and therefore giving the impression that the ground floor windows of 17 Lovedean Lane are not visible/ overlooked, not a true reflection.

Please refer to Photographs 3, 4, 5 & 6 appended to the back of this letter which give true views from the house to the rear fence and a view from the plot to our property. 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, following the gradient of the garden to the lower levels (Refer to photographs 3, 4, 5 & 6 appended to this letter), and further compounds our concerns in respect of being overlooked and invasion of privacy, a further contravention of core strategy CS16 under items lc and le.

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.

The land associated with this 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, via natural infiltration and dispersal via the ground itself.

The applicants Design & Access statement makes reference to 'A Drainage Strategy Report' carried out by RGP Design on the applicants previous, previous application APP/16/00820 and that *'development can be implemented without increasing flows on to adjacent land or to existing surface water drainage systems, ensuring that flood risk is not increased.'* As concluded within the previous application, we believe the proposed drainage strategy is flawed. Our comments, a number of which were in the previous application comments are:

- 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 is proposed to be discharged within a soakaway situated at the boundary line with our property. It is not clear from the drawings the level of the proposed parking area, but we cannot see how a soakaway in this location would provide adequate drainage and ensure that existing run off rates are not increased (which they would be)
- 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.
- A soakaway does not constitute a means of controlled surface release, it is a soakaway that is un-controlled that effectively discharges into the ground then into

adjoining properties at a vastly increased rate to that of an equivalent green field site/garden.

- 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 drawings/application indicate that foul water will discharge into the public foul water sewer. Looking at the drawings, they state a finished floor level of the property as 67.00.
- With the building finished floor level of 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 approx. 0.25m equates to an invert/connection level to the sewer of 66.00. 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 previous application referred to for the Drainage Strategy, the council's drainage specialist concluded to refer to comments in the previous application, these were:

Engineering/Drainage, Havant Council

Comment Date: Wed 28 Sep 2016

The assertion in the Drainage Strategy Report that the ground supports infiltration is questionable given the results of soakage tests on nearby development sites which showed low rates. A soakage test should therefore be undertaken to verify the surface water drainage proposal. In the event of this not being successful, positive drainage will be required.



In reality the result is likely to show that a mix of both infiltration and positive drainage, perhaps by means of a high level overflow into the existing system, will be required.

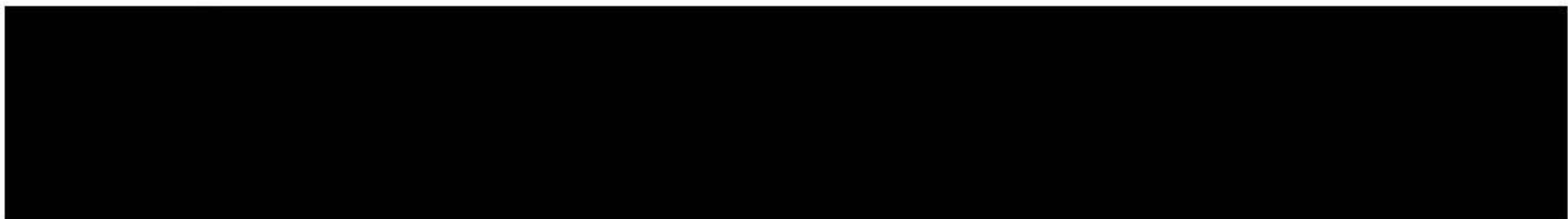
The above specialist comments further compounds our comments and concerns in respect of both surface & foul drainage for the latest application for proposed development.

As we 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

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



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



Blue denotes area of proposed/submitted planning application

PHOTOGRAPH 2 -VIEWS OF WHEN PLOT WAS PART OF THE GARDEN OF 17
LOVEDEAN LANE



PHOTOGRAPH 3 -VIEW FROM RAISED TERRACE OF 17 LOVEDEAN LANE
LOOKING TOWARDS 60 GLADYS AVENUE



PHOTOGRAPH 4 -VIEW FROM THE KITCHEN OF 17 LOVEDEAN LANE
LOOKING TOWARDS 60 GLADYS AVENUE



PHOTOGRAPH 5 -VIEW FROM THE FIRST FLOOR MASTER BEDROOM OF 17
LOVEDEAN LANE LOOKING TOWARDS 60 GLADYS AVENUE



PHOTOGRAPH 6 -VIEW FROM THE PLOT OF THE PROPOSED DEVELOPMENT
TO 17 LOVEDEAN LANE

