

Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
Hants PO9 2AX
Your ref. APP/16/00312
Attn. Mr. D. Eaves



5 Nightingale Park
Warblington
Havant
Hants PO9 2SE
27th April 2016

Dear Mr Eaves,

Re Proposed Development at 9 Nightingale Park, Havant, Hants. PO9 2SE Change of use of storeroom above garage to create 1 no.1 bedroom flat.

Colin and Lorna Clarke, residing at 5 Nightingale Park, wish to lodge an objection to this proposed development and give our reasons and concerns below.

Please look at the highlighted section re APP/14/00317 made on 25th March 2014 – letter dated 20th May 2014. Planning application was granted by Havant Borough Council and your letter clearly states that Grants Planning Permission was subject to compliance with [i] plans etc. and [ii] the following conditions **Please note conditions 3 and 4. Condition 3** states that 'the extended building shall be used only for purposes incidental to the enjoyment of the dwelling house as such..' **Condition 4** states 'The building as extended shall be retained and kept available for the parking of cars at ground level at all times and shall not be converted to living accommodation'. These were conditions put in place by The Town and Country Planning [Development Management Procedure][England] Order 2010 Grant of Planning Permission.

At the time, we had objected to the proposed development – see letter dated 22nd April 2014 – and the highlighted section as we believed the success of APP/14/00317 would lead to future use as a small dwelling.

The current application [APP/16/00312] is unclear on the number of vehicles to be accommodated. 3 Spaces are drawn on the front garden [no path to the front door is shown], 1 car is placed outside the most northerly garage [which would look to be a potential fire hazard if the car were to block the exit from above] and 2 spaces remain in the garage block. This adds up to 6 vehicle spaces, so more than the 1 additional space recorded in Application Question 10 Vehicle Parking. The letter also says that the 2 dormer windows do not lead to overlooking of neighbouring properties. Reality is that they provide an unobstructed view of all property fronts in Nightingale Park and to the bungalow in Warblington Avenue.

We firmly believe that if this application is granted, another will follow in a couple of years applying to change the ground floor use and so creating a whole house on the site. **We very much hope that the decisions and restrictions made by the Town and Country Planning[DMP] less than 2 years ago will be upheld.**

Yours sincerely,

A large black rectangular box redacting the signature area of the letter.

Colin Clarke

Lorna Clarke



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263
DX 50005 Havant

www.havant.gov.uk

Mr Kirk
Creative Heritage Ltd
91 Hunters Race
West Lavant
Chichester
West Sussex
PO19 5UD



**The Town and Country Planning (Development Management Procedure) (England) Order
2010
Grant of Planning Permission**

Application Number: APP/14/00317

Site Address: 9 Nightingale Park, Havant, PO9 2SE

Proposal: Pitched roof with two dormer windows over existing flat roof garage to provide storage.

Further to your application received on 25 March 2014, Havant Borough Council, as Local Planning Authority **Grants Planning Permission** for the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Construction of the building works hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 The extended building shall be used only for purposes incidental to the enjoyment of the dwelling house as such or for the use of Mr T. Vine whilst the owner of 9 Nightingale Park, and shall not be used for any business, commercial or industrial purposes whatsoever.
Reason: In the interests of the amenity of the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011

Our Ref: APP/14/00317

- 4 The building as extended shall be retained and kept available for the parking of cars at ground floor level at all times and shall not be converted to living accommodation.
Reason: To accord with the terms of the planning application and in the interests of the character and visual amenities of the area having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 The extended building shall not at any time be used for noisy or fume producing work to vehicles such as tuning, noisy body work, or paint spraying. Any work to vehicles shall be carried out only within the building.
Reason: In the interests of the residential amenities of the area having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan Serial Number 45674
Block Plan Drawing Number 9584S
Proposed Elevations and Ground and First Floor Plans Drawing Number 9584B

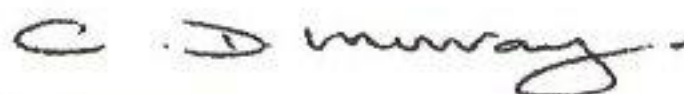
Reason: - To ensure provision of a satisfactory development.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6573.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs.
- (3) 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.
- (4) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
- Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

in this instance:

- You were updated about issues after the initial site visit.



Mr Chris Murray
Service Manager (Planning Development)

20 May 2014

5 Nightingale Park
Warblington
Havant
Hants
PO9 2SE
22nd April 2014

Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
Hants
PO9 2AX
Your ref. APP/14/00317

Dear Sirs,

Re Proposed development at 9 Nightingale Park, Havant, Hants, PO9 2SE

Colin and Lorna Clarke, resident at the address at the top of this page, wish to lodge an objection to this proposed development and give our reasons and concerns below.

*the Proposed Development states that there is an existing flat roof to the garage. This is not so. All other garages in the road have flat roofs but **no. 9 has a pitched roof.**

*the applicant does not reside at the property and the tenants have no access to the garages. This would imply **a change of use from a garage to a small warehouse** which is totally unsuitable for a small cul-de-sac of family homes.

*there can be no effective **control over what is stored** in this building and it could pose a threat to families and buildings. There would be no control concerning hours of use, noise, traffic hazards [especially for all children], remembering that in the past we have had full size car transporters reversing down and parking in our narrow road delivery broken cars etc. to no. 9.

***the development would roughly double the height of the original garage. The installation of an upper floor, a permanent staircase and dormer windows combine to point to future use as a small dwelling.**

*The 3 garages **already have lighting** and opening the doors would let light flood in on most days.

*We query the need for such a substantial development for 'storage'.

It is disappointing that notice of this proposed development was not sent to all the residents of properties in Nightingale Park, and to those in Warblington Avenue and any other properties that would be affected by such a development.

Yours faithfully,

Colin & Lorna Clarke

