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12th February 12, 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/17/00068: Proposed erection of 1no. 1 bed chalet bungalow and new crossover to parking area. Land adjacent 60 Gladys Avenue, Cowplain, Havant, P08 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 P08 8HH-1, 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 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 four 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 fourth occasion 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 proposals is therefore considered to result in an unacceptable relationship to adjoining residents and is contrary to policy CS16 of the*

- 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 and rear of the dwelling would be overlooked by 17, 15 and 13 Lovedean Lane to the harm of the occupants privacy. Furthermore, the proposals to set the dwelling further into the slope and the frontage boundary treatment would result in the front bedrooms within the proposed dwelling having a poor outlook and restricted light. 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.*

Within the decision notice, it was stated '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 the 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 the 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 properties along Gladys Road 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 3.2m from Gladys Road, 1.5m from the boundary with 15 Lovedean Lane and 7.2m from the boundary with our property 17 Lovedean Lane.

Within the applicants Design & Access Statement it states 'The provision of adequate new housing within urban areas, particularly where new building brings vacant and under-used land into use, is considered desirable. Given the above points, a small detached property in keeping with the local area is clearly the most suitable development type for this site.'

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 one bedroom granny annex in such a small plot is not only undesirable to the local residents it would affect, but is also out of keeping with the surrounding area (refer to Photograph 1 appended to the back of this letter).

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.

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 1.5m to the boundary of no.15 Lovedean Lane and just over 7m from our boundary. Again, this contravenes requirements under the core strategy CS16 items lc and le. Please refer to Photographs 2, 3 & 4 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, following the gradient of the garden to the lower levels (Refer to photographs 2, 3 & 4 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.

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.

The applicants Design & Access statement section 13.2 makes reference to 'A Drainage Strategy Report' carried out by RGP Design on the applicants previous application APP/16/00820. As concluded within the previous application, we believe the proposed drainage strategy is flawed. Our comments, a number 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 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 1.25m higher than the finished floor level stated on the current application plan/elevations. 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 66.50 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 65.61. The Gladys Avenue road level is 68.00 within this vicinity. Therefore, I very much doubt that the sewers will be 2.4m 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 councils drainage specialist concluded within a documented comment:

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.

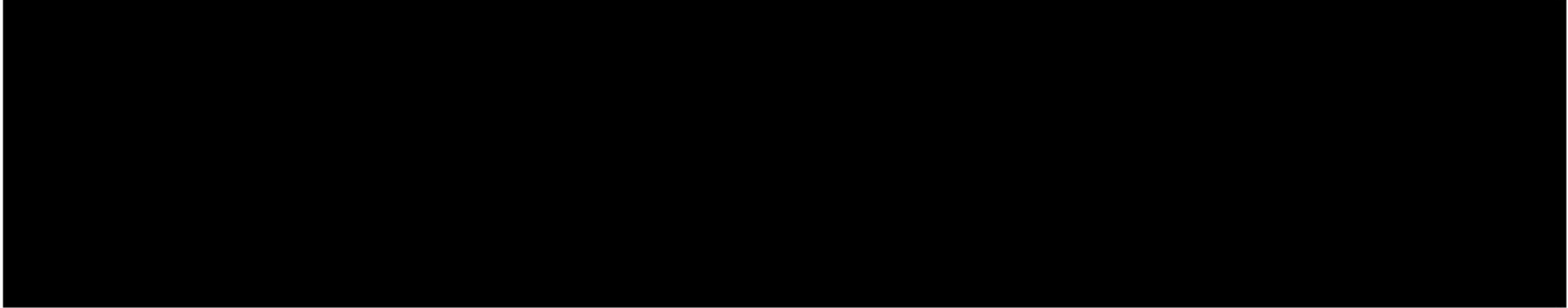
This further compounds our comments and concerns in respect of both surface & foul drainage for the proposed development.

Within the applicants Design & Access statement, section 14.0 refers to BREEAM. BREEAM and the requirements there of to achieve accreditation is associated with commercial properties such as office developments, not a single one bedroom residential granny annex. Therefore, this is not applicable/relevant to this application.

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



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



PHOTOGRAPH 2 -VIEW FROM THE KITCHEN OF 17 LOVEDEAN LANE
LOOKING TOWARDS 60 GLADYS AVENUE



PHOTOGRAPH 3 -VIEW FROM THE FIRST FLOOR MASTER BEDROOM OF 17
LOVEDEAN LANE LOOKING TOWARDS 60 GLADYS AVENUE

