

15 Lovedean Lane
Portsmouth
Hants PO8 8HH

11th July 2017

Havant Borough Council
Civic Offices
Public Service Plaza
Civic Centre Road
Havant
PO9 2AX
(E-mailed to: planning.development@havant.gov.uk)

FAO: Mr D Eaves

Your Ref: Planning Application APP/16/00651

**Proposed erection of detached two-bedroom bungalow on land adjacent to 60 Gladys Avenue /
Rear of 17 Lovedean Lane PO8 8HS**

Dear Mr Eaves,

Further to the above referenced planning application, we wish to make you aware of a number of objections to the proposed development of the land that used to form part of the garden of the property at 17 Lovedean Lane. As the homeowner of 15 Lovedean Lane and therefore the land directly behind and adjoining the site of the proposed bungalow, the plans that have been submitted will have a significant impact on our property and we would like to make you aware of various points regarding the paperwork that has been submitted by the proposed developer:

1. Inaccurate drawings/site plans

1.1 The last 5 applications have all been rejected citing amongst various breaches of the 2011 Havant Borough Council Core Strategy 16 that the size and depth of the plot would not allow for development of a standard compatible with the existing surrounding development i.e. 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. The latest designs are in virtually the same location on the site as the last application.

1.2 As with previous applications, we would respectfully request that the council conduct their own measurements when considering the proposed development as we still firmly believe that the site is a minimum of 5sqm smaller (possibly 10+ sqm smaller) than the 230sqm quoted in the Planning, Design and Access Statement which is not an insignificant amount when you consider that the last 5 applications have been turned down citing over development.

1.3 Further, the site drawings show a piece of the land to the front section (facing west - running along Gladys Avenue) directly next to 60 Gladys Avenue that is quite clearly not a

part of the property. It is the site for a telegraph pole serving the surrounding homes, the pavement is widened in this area to accommodate it.

2. Drainage Issues

2.1 We have lived at 15 Lovedean Lane for 7 years and have seen a progressive worsening of the grounds ability to cope with significant levels of rainfall at both the front and rear of our property. This is a major concern when the proposed development will mean that (considering the possible inaccuracies in the site dimensions) more than 60% will be lost to the construction and we fail to see how the proposed drainage strategy will prevent additional water draining/running off onto our property and that of the neighbouring properties who are on the natural slope that falls downwards behind the proposed bungalow.

2.2 Surface water retention is a regular feature of our garden as the ground simply cannot cope with seasonal rainfall, despite being surrounded by a very green area with a high number of large trees. This situation worsens the further you go down Lovedean Lane as you head east towards numbers 11 and 9 who have the most significant issues as this is where the slope levels out before rising again as you head towards the London Road.

2.3 If you examine the Environmental Agency Flood Map submitted with the last Planning Applications (reference APP/16/00068 and APP/16/00820), as illustrated at para 1.4.2 of the Drainage Strategy Report (page 3), you will clearly see a significant area of water retention going diagonally across the properties along Lovedean Lane. It states at para 2.1.2 of that Drainage Strategy that 'It is understood that the site drains naturally, partially by infiltration and also overland on to lower-lying areas'. We and our neighbours can categorically confirm that overland drainage, or lack of it as the ground simply cannot cope, is a major issue and this situation would significantly worsen as a result of the proposed development, which will increase the overland water flow onto our properties.

2.4 The councils Core Strategy Policy 15 clearly states that new site drainage systems will be required to ensure that there is no net increase in the surface water run off. We fail to see how this can be achieved by the submitted drainage strategy and the soak-away's along the fence line of bordering 17 Lovedean Lane will not prevent water draining onto ours and neighbouring properties, neither will the slabs in gravel along the eastern and southern walls of the proposed building. This therefore contravenes CS15.

2.5 As part of the last development application and as stated in the Drainage Strategy, the council's drainage specialist concluded within a documented comment:

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.

2.6 Please also note that just under 2 years ago, we had to invest in better drainage at the front of our property as heavy rainfall resulted in an area of flooding right outside of our front door. Work completed included the raising of the floor level in the entrance hallway.

3. Proximity of proposed construction to 15 Lovedean Lane and affect on outlook and light ingress

3.1 The councils Core Strategy 16 (paras 5.05 and 5.06) states that any proposed development must allow 10 meters between the proposed dwelling and the 'boundary' of neighbouring properties. The design submitted, as with previous rejected designs, is unable to achieve this requirement by a considerable margin. The proposed development will be 8 meters from the back of our property i.e. the kitchen, not the boundary fencing. The north east corner of the proposed development is less than 1 metre from the boundary line with our property (see drawing 17/1000/P05).

3.2 The back of our property on the ground level is primarily glass in order to achieve good levels of daylight into what is a large room with a foot print of over 300 square feet. The proposed development will be extremely imposing and would dominate the visual aspect and severely impair light ingress via overshadowing.

3.3 At present, the rear of our property is barely overlooked by neighbouring properties (noting that prior to the developer completing the unnecessary clearing of a large number of mature trees and bushes we were not over looked at all), the proposed design will allow line of sight into our bedroom from 2 windows via Side Elevation North (see drawing 17/1000/P02) and having reviewed the proposed floor level and window positions, possible line of sight into our kitchen and also directly into that of 17 Lovedean Lane. This in turn means that both 15 and 17 Lovedean Lane will overlook the proposed bungalow from both ground and first floor levels, which would also contravene policy CS16. The design of the floor layout can not possibly concentrate overlooking away from adjacent properties. This is contrary to Policy CS16.

3.4 It should also be noted that the Elevation in Context from 15 Lovedean Lane (see drawing 17/1000/P04) illustrates a new 2 metre high fence (see also drawing 17/1000/P01). It should be noted that the fence is already 2 metres high from our side of this fence due to the natural slope of the land.

3.5 We would like the council to note that we have just landscaped the bottom of our garden at significant expense. This area being directly behind the proposed development. The proposed construction would sit 1 metre from an area designed for peaceful enjoyment of a truly South facing plot with a construction height at the peak of the roof approx 16 feet above our ground level. The building would therefore totally dominate the current spacious setting and outlook from both within 15 Lovedean Lane and from the garden.

3.6 Within the Design and Access Statement, there is a photograph, supposedly depicting the 'view of only clear upper floor window of 15 Lovedean Lane'. This photograph is a 7 year old Estate Agent photograph and we fail to see what it is supposed to illustrate (other than the décor choice of the previous owners). Furthermore, the photographs facing

North West, North, and East have clearly been taken from ground level and therefore do not accurately depict the proposed window elevations in the proposed design or the possible lines of site from surrounding properties, particularly ours at 15 and also 17 Lovedean lane. We would urge the council to witness this for themselves via a site visit. Please refer to photographs at the end of this letter for line of site depictions from the rear first floor window across the proposed development plot.

4. Local Context and Street Pattern

4.1 As is clearly demonstrated in the photograph at the appendix to this letter, the scale and proportions of the proposed development are not in keeping with the surrounding properties. The size of the plots immediately surrounding the site are significantly larger. The proposals, as with previously rejected plans, constitute over development of an extremely small plot of land and does not respect the scale, proportions or density of the surrounding buildings.

4.2 The proposed development would effectively box in our property and be significantly detrimental to the current spacious setting, will be overbearing on our outlook, be detrimental to our light ingress and privacy as well as that of 17 Lovedean Lane.

4.3 I believe all of the above to be in direct contravention of policy CS16.

5. Housing Quota

There are a significant number of developments in the surrounding area with upwards of two thousand new homes under construction, already completed or due to commence in the near future. I would respectfully question how the proposals meet or even contribute to the core strategy's residential development needs? It certainly does not protect, enhance or compliment the local environment. This is over development of an existing green space and would constitute town cramming in an area which is the subject of significant residential development within a 3 mile radius.

6. Human Rights Act

Protocol 1, Article 1 of The Act states that a person has the right to peaceful enjoyment of all their possessions, including the home. We would also refer to the case law of *Britton versus SOS* whereby private and family life encompasses the home as well as the surroundings. As outlined above, we firmly believe that the proposed development would contravene these rights in a number of areas.

7. Consultation / Pre Application Engagement

7.1 We would like to make it categorically clear that, despite statements in the Design and Access Statement, our views on the proposed design/plans were not sought and we are aware from speaking to neighbours that they were also not contacted, despite statements to the contrary being contained in the Planning and Access Statement. We also understand that Cllr Cheshire has been misrepresented in statements included in the application.

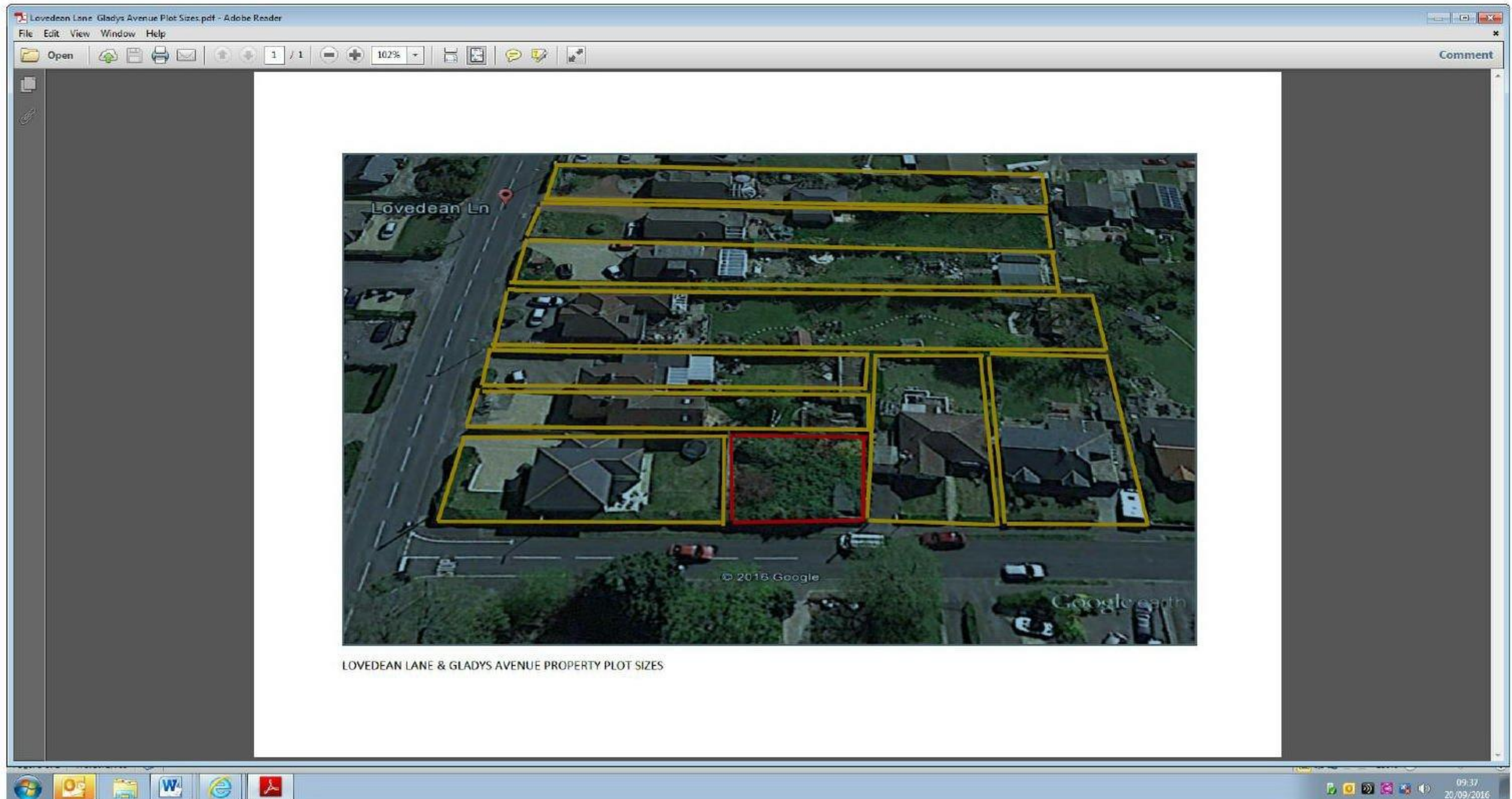
We request that the council take our objections into consideration. Above all, we would submit that the proposed plans do not respect privacy, outlook or sunlight/daylight currently enjoyed by our property and would box us in via the loss of what is currently an open space. We would welcome the opportunity to meet with a representative of Planning Department or Councilors at our home in order to illustrate our objections first hand.

Yours sincerely

Mr Keith Myhill
Miss Lara Proctor

Appendices to Letter from 15 Lovedean ref Planning Application APP/16/00820

Aerial view of surrounding plot sizes:



Views from upstairs Bedroom window from rear of 15 Lovedean Lane via full height Juliet Window:





15 Lovedean Lane:
Objections to Planning Application APP/17/00651

