

17 Lovedean Lane
Cowplain
Waterlooville
Hampshire
PO8 8HH



Mr David Eaves
Havant Borough Council Planning Department
Public Service Plaza
Civic Centre Rd
Havant
PO9 2AX

4th July 2017

Dear Mr Eaves,

I would like to comment on the latest Planning Application:

APP/17/00651 – Land adjacent to 60 Gladys Avenue/ to the rear of 17 Lovedean Lane.

Demolition of existing outbuilding and erection of 1No. 2 bedroom bungalow.

I live at No17 Lovedean Lane with my family.

This planning application relates to a small area of garden that was once part of the modest sized original garden of No17 Lovedean Lane until 2010. It was then divided off by developers (*please see attached Land Registry Document which is in the Public Domain*), with the intention of building a bungalow on it.

The developers made 3 planning applications to build a bungalow, all of which were refused:

APP/10/00499 – Refused November 2010
APP/13/00133 – Refused April 2013
APP/15/00718 – Refused August 2015

The land changed hands in 2016 and a further three applications have been made since; two by Mr Richard Gander – the Registered owner of the land (*again, see Land Registry Document*), and this current application by Mrs Barbara Gander of the same address. The two applications by Mr Gander were refused:

APP/16/00820 – Refused October 2016
APP/17/00068 – Refused March 2017

The reasons given by Havant for each refusal have been broadly the same, i.e.

'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.'

'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.'

'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.'

It is my view that all the above remains applicable and my concerns remain the same as for previous applications:

1. No17 Lovedean Lane is principally an open plan home at ground-floor level, with our main living space - lounge, dining area, kitchen and integral patio all at the rear and the external ground-floor walls predominantly glass - intentionally designed to take advantage of the attractive open southerly aspect. The master bedroom, a second bedroom and a bathroom are also at the rear of our house. All our living takes place at the rear and we currently enjoy the lovely open southerly aspect - the main reason for purchasing our home. The erection of the proposed bungalow just a few metres from us will have a dominating and overbearing impact on us, causing a loss of privacy, increase in noise and prevent the peaceful enjoyment of our home and garden.
2. Our rear garden is very short in length - there is just 9.5 metres between our external wall and the boundary fence that separates the two gardens (please see attached photos which clearly demonstrate the close proximity of the plot). The garden the Application refers to is also very small and due to the small size of the plot, wherever the proposed bungalow is located, it will always be extremely close to us and will dominate our view, overlook us, creating a loss of privacy, loss of light, increase in noise/ smell, take away our open aspect

and effectively box us in. Our only open aspect is the rear southerly aspect as we are closed in to the East by No15 Lovedean Lane with its two-storey extension extending well past the building line of our house and almost to the end of our garden (please see photos). And to the West, where there is a line of very tall mature trees in front of a 3-storey nursing home which already has a negative impact on our light (please see photos).

3. The driveway for the proposed dwelling will be immediately next to our boundary fence and a peaceful seating area that we currently enjoy. It will also be just 9.5 metres away from our indoor living space. This will inevitably create a loss of privacy, increase in noise, smell, pollution and spoil our enjoyment of our garden and home.
4. The small 'amenities' or 'recreation' area is also immediately next to our boundary fence and due to its adjacent position to our garden and extremely close proximity (9.5 Metres) from our home, there will be a loss of privacy, increased noise, smell and will spoil our peaceful enjoyment of our garden and home.
5. The location of the proposed dwelling would also have an overbearing position in relation to no15 Lovedean Lane - the rear boundary wall being just a couple of feet from their fence line and will overlook the rear of their house which, Like No17, is also mainly glass. The dwelling would also dominate virtually all of their garden creating a loss of privacy and light and increase of noise and smell.
6. Currently, No17 and No15 Lovedean Lane are barely overlooked. Before the Applicants cut down every tree, hedge and shrub, both homes were completely screened at ground level by the mature trees and hedging. The proposed bungalow and amenities space will allow a direct line of sight into the rear of our homes and gardens by its occupants, creating a loss of privacy.
7. The plots along both Lovedean Lane and Gladys Avenue are quite large with moderate to large sized gardens both to the rear and to the front. The small size of this garden plot will make a house built on it look completely out of place and not in keeping with other homes in the street. It cannot follow the building line and will look crammed into a far too small space.
8. The positioning of the proposed dwelling is now so close to 60 Gladys Avenue that this will only emphasize even more the cramming in effect and look totally out of place.
9. The Applicants have repeatedly submitted plans stating an inaccurate plot size of 232.5 square metres. The actual size of the plot measured with specific design software is actually 225 square metres – over seven metres smaller. This is significant as all the previous refusals have cited the small size of the plot as significant.

I would also like to comment in relation to the published 'Building Design and Access Statement' that applies to this current Application - APP/17/00651

It states at Page 6 :-

Consultation

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 occupants of Nos.23, 42B, 60 and 69 and Councillor Cheshire respectively opined that:

'I wish to express my support of the building of a new bungalow on the empty piece of land next to 60 Gladys Avenue. The draft plans I have seen seem perfectly acceptable and definitely a change for the better from the current bramble ridden piece of land which greets you upon entering Gladys Avenue.'; 'I have seen the plans proposed for the derelict site behind 17 Gladys Avenue and wish to support the building of the planned bungalow.

This can only be a great improvement upon the current site and the bungalow seems to be well planned to fit in with other bungalows in this part of our Avenue.'; '... I fully support the building of a bungalow on the plot...I have seen the plans of the proposed bungalow and think it will be a great improvement on the current overgrown mess. It will fit in with the style and size of mine and other adjacent bungalows in the Avenue and the new fence between our properties, nice brick wall at the front and drainage on the plot will benefit my home and the area generally.'; 'I see no specific problems and trust the planners to give permission only for sensible applications.'

- You can see that in the first Paragraph it states that the '*Applicant recently invited the views of 13 – 17 Lovedean Lane*' and then '*no responses were received*'. It then leads into the alleged comments of support by Councillor Mike Cheshire.
- I would like to state for the record that at no time have we been invited to give our views on this Application as part of 'Pre-application Engagement' by the Applicant or her representatives. I am deeply disturbed that a document in the public domain misrepresents us in this way. If we had been invited to make our views known, we would most certainly have done so.
- As these alleged comments by Councillor Cheshire regarding this current Application are in the public domain and will no doubt carry influence due to his high standing in the community, I believe this to be a serious matter and cannot be left unaddressed. I can therefore confirm that I have contacted Councillor Cheshire and he has assured me, in writing, that he did not make these comments and furthermore, does not support this Application in any way.
- As part of this latest Planning Application, photographs of my house, both outside and inside have been included. A photograph of the rear of my house has been taken from an angle to make my rear windows appear much lower than they actually are therefore creating the illusion that we do not overlook

the plot. Please see attached photos taken from the horizontal position, demonstrating the true level of my rear windows which can clearly be seen well above the fence line.

There have now been at least 6 planning applications to build a bungalow on this garden. Havant Planning Department has refused five to date and will decide on this latest Application in the next few weeks. The main reasons for refusal have always been the same. The situation has not changed. The plot is a small garden, it is not a building plot - it used to contain mature shrubs and trees. Over the last year it has gone through various stages of decimation and neglect as well as accumulation of large amounts of rubbish positioned immediately behind our house. I urge Havant Council to refuse this latest Application based on previous decisions made.

Yours sincerely,

Dr Bernadette Martin-Haskins

Enc: Various photographs
Land Registry Document



View of plot from kitchen window of No17 Lovedean Lane showing 60 Gladys Avenue behind it. This demonstrates how close No60 Gladys Avenue is to 17 Lovedean Lane already. The proposed new build would be crammed in-between us.



Side view of No15 Lovedean Lane taken from garden of No17 Lovedean Lane facing East. It can be seen how far the two-storey extension extends past No17 blocking garden in completely.



Side view of No15 Lovedean Lane taken from garden of No 17 facing East. This demonstrates the only tiny aspect we have to the East.



Immediate view to the West taken from garden of No17 Lovedean Lane. Behind trees is a 3-storey nursing home. Trees extend much higher than the building. This already impacts on our light.



View of Plot and rear southerly aspect taken from master bedroom of No17 Lovedean Lane



View of Plot from master bedroom window of No17 Lovedean Lane



View of Plot from master bedroom window of No17 Lovedean Lane



View of Plot from master bedroom window of No17 Lovedean Lane



View of Plot after recent clearance and rear of 17 Lovedean Lane demonstrating the true height of ground-floor windows in relation to Plot. It can be seen how small the garden of No17 Lovedean Lane is, its extremely close proximity to the proposed new build and again, how far the two-storey extension of No15 Lovedean Lane extends past No17 Lovedean Lane.

Title Number : SH30700 This title is dealt with by HM Land Registry, Weymouth Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

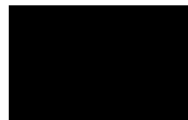
This extract shows information current on 15 APR 2017 at 08:00:25 and so does not take account of any application made after that time even if pending in the Land Registry when this extract was issued. REGISTER EXTRACT

Title Number : SH30700

Address of Property

: land on the south side of 17 Lovedean Lane, Waterloooville (PO8 8HH)

Price Stated



Registered Owner(s)

: RICHARD JAMES GANDER of 18a Beechworth Road, Havant PO9 1AX.

Lender(s)

: None

1 of 2

Title number SH30700

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 15 APR 2017 at 08:00:25. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the Land Registry web site explains how to do this.

A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : HAVANT

- 1 (15.02.2010) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land on the south side of 17 Lovedean Lane, Waterloooville (PO8 8HH).
- 2 (14.03.2013) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan. The property description has been altered to reflect the land remaining in the title.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (10.02.2016) PROPRIETOR: RICHARD JAMES GANDER of 18a Beechworth Road, Havant PO9 1AX.
- 2 (10.02.2016) The price stated to have been paid on 22 January 2016 was £10,000.
- 3 (10.02.2016) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

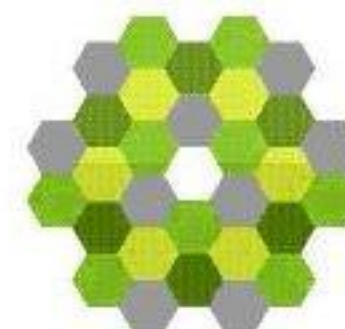
C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (15.02.2010) A Conveyance of the land in this title and other land dated 8 January 1924 made between (1) Hyde Salmon Whalley-Tooker (2) Edward Whalley-Tooker and Harold Hartley Wilberforce (3) Rosalie Mary Standish Whalley-Tooker and (4) George Hudson contains restrictive covenants. *NOTE: Copy filed.*

End of register

This is a copy of the title plan on 15 APR 2017 at 08:00:26. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.



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