

Our Ref: H/126

Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
PO9 2AX

14th January 2020

For the attention of Selina Donophy
Planning Officer

Dear Ms Donophy

Merriville Croft Lane Hayling Island
App/19/01071

I have been instructed by [REDACTED] to examine the proposals for the extension of the above property, to discuss these with her and to write a letter of representation on her behalf.

The specific concerns of [REDACTED] relate to the impact of the proposals on her property and the practicality of access to her property.

I have commenced with a thorough examination of the development proposals and the accompanying plans. I have also visited the site and checked some measurements on the land over which [REDACTED] has the right to pass.

I note that the development is described and registered as 'two storey side and rear extension'. On examination of the proposals it is evident that in addition to a side and rear extension there is also modification of the front elevation to remove the current front bay window extending the front to install a large front gable. Furthermore, the proposals include a substantial dormer window on the side or northern elevation. These details are significant, but not explicit in the description given on the application form.

The plans are not dimensioned and thus measurements must be made with a scale rule. It is noted that the measured dimensions of the existing access between the south wall of Merriville

Directors: Bryan S Joseph BA DipTP MRTPI FRICS FRSA Caroline J Joseph BA BTP MRTPI Christopher I Ward BA LLM MRTPI
Principal Planner: Michael JD Knappett BSc BTP MRTPI Office Manager: Kirstin N Geary

and [REDACTED] property do not correspond to measurements made on site. There is a discrepancy of the order of 1.55m on the plans from the front pillar of the garage to [REDACTED] Havant Road and the south wall of the dwelling. It appears that the boundaries of [REDACTED] are not correctly plotted. I suggest that this gives a misleading representation of what is proposed and hence that the plans require modification. Can I suggest that you, as case officer, need to check the dimensions on site in order to confirm or otherwise the accuracy of these.

It is noted that the applicant has revised the application site plan to show a revised red line now seeking to exclude [REDACTED] land and that of her neighbour at [REDACTED] Havant Road. However, the red line still encompasses the land over which these two properties have rights. Reference to the revised Certificate B shows that Notice has not been served on [REDACTED] or her neighbour. It is my understanding that both [REDACTED] and her neighbour at [REDACTED] have permanent rights across the land which lies within the red line. As such they have 'interests' in the land and Notice should be served on them.

[REDACTED] has already written to you in respect of her concerns about the application. I have sight of her original letter. Although some parts of her letter relate to matters beyond the remit of planning, they are nevertheless significant in understanding her position. A large part of her letter has been redacted without evident justification. Her comments are not libellous nor do they provide personal information that would infringe GDPR. It is relevant and pertinent that she has an 11ft (3.35m) right of way within the red line and this has been redacted.

Having drawn your attention to the administrative issues with the current application I now focus on the planning considerations which from [REDACTED] position are material to any decision that is made.

[REDACTED] has rights of way across the land within the red line to enable her to reach her garage. Access is tight and consequently she has a small car which is reversed into the garage enabling egress in a forward gear. These rights were granted by a Deed dated 1988 and [REDACTED] has enjoyed these uninterrupted rights of access since purchasing the house in 1996.

If [REDACTED] is prevented from entering her garage, she will need to resort to legislation other than planning legislation to resolve the issue. However, it is a planning matter that such an impediment would result in the loss of a parking space for her dwelling. She would be forced to park on the public highway (Northwood Lane) which I am advised is becoming more congested.

The plans show that the proposed door on the new garage is top hinged. This suggests that it is an 'up and over door'. Such a door will not be possible to open without impeding the right of way to [REDACTED] property. If an alternative door type is proposed this should be made clear.

Access to [REDACTED] garage and rear garden are also required to facilitate refuse collection. [REDACTED] is the middle of a terrace of three houses fronting Havant Road and located behind a bus layby and shelter. Refuse collection from the front of the property is simply not possible due to the nature of the highway. Refuse bins are wheeled out via the access to a collection point on Croft Lane.

I am advised that [REDACTED] is considering purchasing a small electric vehicle in lieu of her present diesel car. Such a car would require regular access to the garage to charge the vehicle via an electric point.

It is noted that there appears to have been no consultation of the local highway engineer who may wish to comment upon the implications of the proposals for parking in the vicinity. This letter has therefore been copied to that highway engineering team at Havant Borough Council.

The proposed extension of the existing chalet bungalow will result in a visually dominant building, discordant with the established character of the area.

The proposal comprises 3 large gables to the front rear and side, in addition to the extension on the south side. Apart from the 3 gables there is new fenestration in the form of:

- A pitched roof dormer
- Two flat topped dormers extended to provide extra headroom - both at different heights
- Windows in the rear gable
- 2 velux style rooflights – both at different heights
- Glazed panel floor to gable over part of the front elevation.

The proposed gable over the extension on the south side of the building will bring the highest point of the roof some 7.2m closer to [REDACTED] Havant Road. The other two gables will extend the roof mass across the entire width and more of the property of [REDACTED] Havant Road. Collectively these will significantly impact on the outlook of the rear of [REDACTED] Havant Road. The annotated appended photograph illustrates the point.

The impact of the proposal on the street scene of Croft Lane will also be transformational. The modest bungalow will be increased in width on the south side by 3.5m at ground floor level and 7.2m at roof level. On the northern side a large flat roofed dormer will add bulk to the roof, visible from the road frontage. At the front the new forward extending dormer, which at roof level reaches 4.5 m, will significantly increase the presence of the dwelling in the street scene. The apparent glazed panels will compound the impact.

The National Planning Policy Framework places emphasis on the importance of good design. At paragraph 130 it states:-

Directors: Bryan S Joseph BA DipTP MRTPI FRICS FRSA Caroline J Joseph BA BTP MRTPI Christopher E Ward BA LLM ADCUP
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Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area taking into account any local design standards or style guides in plans or supplementary planning documents.

The Havant Borough Council Design Guide SPD adopted 2011 addresses the design of extensions at page 44. It states:-

In general, an extension should not be bigger than the main building and therefore should appear smaller in mass and height.

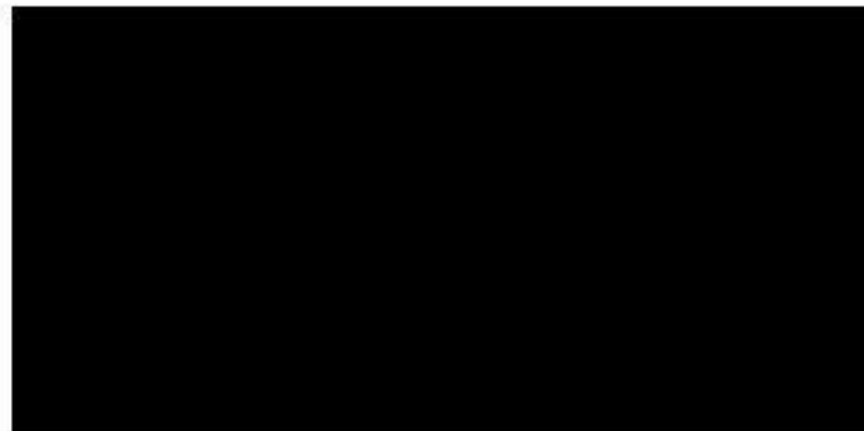
In respect of front extensions, it states:-

Front extensions should not protrude too far forward from the main building, or be prominent in the street and should respect the common building line Two storey front extensions will only be acceptable where the building is set well back from the street.

The collective impact of the proposed extensions transforms the existing building such that it is totally subsumed by the extensions and it creates a large and discordant building in the locality.

I would be grateful if you would acknowledge receipt of this letter and advise me of progress with this application given that my client has an interest in land within the red line.

Yours sincerely



Directors: Bryan S Joseph BA DipTP MCCTPI FRICS FRSA / Caroline J Joseph BA BTP MRTPI / Christopher J Ward BA LLM MRTPI
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