



UNION4 PLANNING

Client: **Pippa Blake & Louise
Burnet**

Site address: Fowley Cottage
 46 Warblington Road
 Emsworth
 Hampshire
 PO10 7HH

Demolition of Fowley Cottage. Erection of 15 dwellings, together with associated parking and open space.

PLANNING STATEMENT

December 2023



UNION4
PLANNING

Document Control

Project: Fowley Cottage

Client: Pippa Blake & Louise Burnet

Job Number: G0056

Author(s): Andy Stallan

Checked By: David Butcher

Date: 12/23

Revision:

18 Farnham Road, Guildford, GU1 4XA
07977 470 806
Andy.stallan@union4.co.uk
www.union4.co.uk

Contents

1.0	Introduction	2
2.0	Application Site & Planning History	3
3.0	The Proposed Development	4
4.0	Planning Policy	5
5.0	Further Planning Considerations	10
6.0	Conclusion	13

1.0 Introduction

- 1.1 This Planning Statement (PS) is submitted in support of a planning application for demolition of the existing property, Fowley Cottage, and erection of 15 dwellings with associated parking and open space.
- 1.2 The application is accompanied by the following documents:
- This Planning Statement
 - Architect drawings,
 - Architect Design & Access Statement
 - Arboricultural Report,
 - Ecology report
 - Highways Report
 - Flood Risk Assessment & Drainage Strategy
 - CIL forms
 - Application form & Certificates/Notices
- 1.3 The application comprises a major application and is proportionately accompanied by the appropriate level of information for a development of the size proposed.
- 1.4 A pre-application submission was made, and feedback has been positive. The planning officer's advice has been taken into account in the submission.
- 1.5 The appropriate planning fee will be paid to the local authority.

2.0 Application Site & Planning History

- 2.1 The property comprises a single house, Fowley Cottage, which is in poor condition. It has a large garden that runs from Warblington Road down to the waters edge.
- 2.2 The site contains a number of trees, principally along the side boundaries but also some larger trees towards the front of the site.
- 2.3 There is an existing access into the site.
- 2.4 There are existing houses on both sides of the site in varying patterns of development.

Background

- 2.5 This submission follows a history of applications to provide homes on the site.
- 2.6 The varying nature of the previous applications is indicative of the applicant's desire to achieve a form of development that accords with policy and the scale and character of the area.

Planning History

- 2.7 The most relevant previous decisions to this submission are as follows:

Application APP/20/0376 - Nine new dwellings on the site surrounding the retained Fowley Cottage, 2 on the Warblington Road frontage and 7 in the rear garden area.

Refused 29 April 2020 on single ground of inefficient use of land at 18.9 dwellings per hectare.

Application APP/19/00623 – 7 dwellings was refused and also dismissed at appeal on grounds of too low a density.

Application 99/51660/005 - Renewal of outline application 98/51660/3 for 7 detached houses and garages with new access for 2 of the dwellings onto Warblington Road and modification of an existing private drive from Warblington Road to serve 5 of those houses plus Fowley Cottage.

Approved 03 December 2001

Application 98/51660/002 – Residential development comprising 7 detached houses/garages and including a new access for 2 of those houses from Warblington Road and modification of an existing private drive from Warblington Road to serve 5 of those houses plus existing Fowley Cottage.

Approved 30 July 1998

Application 94/51660/002 - Renewal of Outline consent for 2 chalet bungalows with garages.

Approved 31 March 1994

- 2.8 There are a number of historical planning policy matters directly associated with this site that are pertinent to the determination of this planning application, which are dealt with in the policy section of this Planning Statement.

3.0 The Proposed Development

- 3.1 The Proposed Development is a full planning application for demolition of the existing dwelling, Fowley Cottage, and the erection of 15 dwellings.
- 3.2 The density of the scheme is appropriate for the site taking into account the constraints on the site.
- 3.3 The application site will be accessed via the existing access onto Warblington Road.
- 3.4 The proposal will provide a mix of dwelling sizes. Three 4-bedroom properties, eight 3-bedroom properties and four 2-bedroom properties are proposed.
- 3.5 Policy compliant affordable housing is provided for in the application.
- 3.6 The development is set back from the waters edge avoiding the flood zones.
- 3.7 The proposed dwellings will be two storey in height.
- 3.8 The proposal includes satisfactory parking and gardens for the proposed dwellings.
- 3.9 Landscaping will be enhanced on the site.
- 3.10 The design of the dwellings and the site layout is of a high standard and is justified in the accompanying Design & Access Statement.
- 3.11 Public access through the site has been provided to accord with the Neighbourhood Plan, which can be secured via a Section 106 legal agreement/Grampian condition..

4.0 Planning Policy

- 4.1 Applications for planning permission must be determined in accordance with the Development Plan, including the National Planning Policy Framework (NPPF 2023) unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchaser Act).
- 4.2 The Development Plan for the site comprises:
- Policies and Guidance of the National Planning Policy Framework (the NPPF) and associated National Planning Practice Guidance (PPG),
 - Havant Borough Local Plan (Core Strategy), the Havant Borough Local Plan (Allocations Plan) and the Hampshire Minerals and Waste Plan: Strategy and Sites 2015-2034 (April 2019),
 - Emsworth Neighbourhood Plan adopted 2021
- 4.3 The following Development Plan Documents, Supplementary Planning Documents/Guidance may also be relevant material considerations:
- Havant Borough Council Borough Design Guide SPD December 2011
 - Havant Borough Council parking SPD July 2016, Sustainable Design, Construction and Energy SPD - Sep 2020

The NPPF and the NPPG

- 4.4 The NPPF provides the national planning policy guidance. The current version was released in September 2023. This is supported by online National Planning Policy Guidance (NPPG).
- 4.5 The updated National Planning Policy Framework maintains a presumption in favour of sustainable development. This means approving proposals which accord with the Development Plan without delay.
- 4.6 Where a Plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of specific policies of the Framework which indicate development should otherwise be restricted.
- 4.7 Chapter 2 — Achieving Sustainable Development — includes the economic, social and environmental objectives and a presumption in favour of sustainable development. The Development Plan does not have to be followed where material considerations indicate otherwise.
- 4.8 Chapter 4 – Decision-making – encourages pre-application discussions, which has happened in relation to this application. Paragraph 47 states that decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing. Arguments that an application is premature are unlikely to justify a refusal.

- 4.9 Chapter 5 – Delivering a sufficient supply of homes – supports the governments objective of significantly boosting the supply of homes. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area. Supports the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 4.10 Chapter 9 – Promoting sustainable transport - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.11 Chapter 11 — Making effective use of land — " Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. This must however take into account constraints on the site and the net developable area on the site.
- 4.12 Chapter 12 — Achieving well-designed places — seeks new buildings and altered buildings to be of a high-quality design.
- 4.13 The proposal is supported by the above strong direction of the NPPF, which should carry significant weight.

Submission Version – Havant Local Plan amended 2021

- 4.14 A new Havant Local Plan was being progressed which included the application site as an allocation Policy H13. This Policy stated as follows:

H13 - Fowley Cottage

The Site Fowley Cottage is located in southern Emsworth, to the south of Warblington Road. The site extends from Warblington Road southwards to the shore of Chichester Harbour. It comprises a single large house and grounds. The site has an area of 1.1 ha.

Site Opportunities & Constraints

- The site comprises a mix of greenfield and brownfield land.
- There is moderate potential for previously unidentified archaeological deposits.
- There are protected trees on site.
- Potential for roosting Bechstein's bats, nesting birds and reptiles.
- The southern end of the site is in tidal Flood Zones 2 and 3.
- The southern boundary of the site abuts the Chichester Harbour AONB.
- The site offers a waterfront location.

- A sewer crosses the site.
- Area has known drainage capacity issues.
- Sewerage network reinforcements will be required in advance of occupation of development to avoid an increased risk of foul water flooding. The site is in the Minerals Safeguarding Area as defined by the Hampshire Minerals and Waste Plan, because it is likely to be underlain by sand and gravel. Incidental minerals extraction may be appropriate as part of the development, for re-use on-site.
- The site overlays a Principal and Secondary Aquifer.

Policy H13 - Fowley Cottage

Residential development of about 20 dwellings will be permitted where:

a. Sufficient information is submitted to address the site-specific planning considerations. This is to be agreed at the pre-application stage and is expected to include the following:

- i. Archaeological Assessment;
- ii. Flood Risk Assessment;
- iii. Design and Access Statement;
- iv. Landscape and Visual Impact Assessment;
- v. Ecological Assessment;
- vi. Arboricultural Assessment;
- vii. Noise Impact Assessment;

b. The developer provides a drainage solution on site which reduces surface water run-off and contributes towards identified flood alleviation schemes in the area, in line with Policies E19 and E20; and

c. The design and layout:

- i. Maximises the waterfront location of the site;
- ii. Conserves and enhances the AONB to the southern boundary of the site in line with Policy E5;
- iii. Locates residential development in areas not at risk of flooding in line with Policy E19;
- iv. Avoids unacceptable harm to the amenity of neighbouring residents through loss of privacy, noise, outlook and overlooking; and
- v. Provides suitable easement for the sewer that crosses the site;
- vi. Provides a safe and convenient access to Havant Footpath 56 (Wayfarer's Way) to the southern boundary of the site;

vii. Retains and incorporates the protected and mature trees found on site

4.15 The Draft Local Plan was subsequently withdrawn in 2022.

Housing Position Statement & Housing Supply

4.16 At the same time as the above withdrawal of the Local Plan, the Council published a Housing Delivery Action Plan and Housing Position Statement which allows for those sites allocated within the draft Local Plan still to be brought forward. This was because Havant Borough Council had and still has a deficit in terms of housing supply; the Council still needs to provide more housing and small sites like the Application Site can make a significant contribution to this.

4.17 The Havant Borough Council housing land supply stands at 1.8 years (appeal derived), which is well below the 5-year requirement. The housing delivery test informed figure is N/A for Havant Borough Council. This housing supply position is therefore poor.

4.18 The above facts and recent policy position comprises a material consideration which should attract significant positive weight in the decision-making process.

Havant Borough Local Plan (Core Strategy) March 2011

4.19 The following policies may be considered relevant to the determination of the application, but are dated:

- CS8 CS9 CS11 (Community Safety) (Housing)
- CS14 (Efficient Use of Resources)
- CS15 (Flood and Coastal Erosion)
- CS16 (High Quality Design)
- CS20 (Transport and Access Strategy)
- CS21 (Developer Requirements)
- DM1 (Recreation and Open Space)
- DM10 (Pollution)
- DM12 (Mitigating the Impacts of Travel)
- DM13 (Car and Cycle Parking on Residential Development)

Havant Borough (Allocations) July 2014

- AL1 (Presumption in Favour of Sustainable Development)
- AL2 (Urban Area Boundaries & Undeveloped Gaps between Settlements)
- DM18 (Protecting New Development from Pollution)
- DM25 (Managing Flood Risk In Emsworth)
- EM1 (UE37) Emsworth Housing Allocation

Emsworth Neighbourhood Plan adopted 2021

- L1 General Housing Policy
- L2 Housing Mix
- M1 Cycle Storage Provision
- WF1 public enjoyment of the Waterfront
- D1 General Design Policy
- D2 Height, Mass & Materials
- D3 Layout, Form & Density
- D4 Design of Public Spaces & External Areas
- D5 Integration & Strong Connections
- D6 Resource Efficiency
- D7 Mitigate Light Pollution

4.20 The above Neighbourhood Plan policies have been taken into account in designing the scheme. The design justification for the scheme is set out in the Design and Access Statement.

4.21 The planning policy priorities and above references provide the necessary context for a strong presumption in favour of approving this application.

5.0 Further Planning Considerations

- 5.1 The above planning policy considerations carry significant positive weight in the determination of this planning application, particularly the Housing Position Statement, Housing Action Plan and the very low housing land supply position.
- 5.2 The following sets out further planning considerations in relation to the proposed development, including assessment of whether any technical issues would impact on the presumption in favour of sustainable development which should apply to this proposal.

Density

- 5.3 The site comprises previously developed land within the urban area of Emsworth.
- 5.4 The planning history indicates that proposals for 7 and 9 dwellings on the site were too low, being refused by Havant Borough Council and on appeal. The previous Policy H13 Policy was originally for 40 dwellings, which the Council subsequently changed to about 20 dwellings, as set out in the previous section of this statement. Policy H13 has now been withdrawn as part of the withdrawn Local Plan, but the Council's agreement to the site still coming forward in principle is set out in the recent Housing Position Statement and Housing Delivery Action Plan.
- 5.5 The number of dwellings on the site must take account of all site constraints; notably the existing flood line (which erodes the waterfront part of the site significantly and more so than when Policy H13 was drafted), the existing sewer running diagonally through the site, the trees within the site and along the boundaries of the site as well as neighbour amenity and the character of the area. All of these factors reduce the net developable area on the site and hence constrain density.
- 5.6 The proposal for 15 dwellings strikes the right density balance between the above constraints and achieving an appropriate density to make the best use of previously developed land to contribute to housing supply in Havant.

Design/Layout

- 5.7 The application is accompanied by a Design and Access Statement which assesses the key elements that helped form the evolution of the scheme, including the above policy and planning history considerations, as well as the site constraints referred to above.
- 5.8 The layout of the scheme protects the two large existing trees at the front of the site, meandering around them. It then provides a central avenue leading down the site and attractively sites the dwellings either side of the central access lane.

- 5.9 Policy compliant parking is provided.
- 5.10 The design of the dwellings is modern and attractive, in keeping with the mixture of traditional and modern that exists in the area.
- 5.11 Positive feedback was received following a pre-application submission, which has been taken into account in this application.
- 5.12 The proposed development is therefore considered in accordance with design and townscape policies in the dated Local Plan, the Emsworth Neighbourhood Plan, the dated Design Guide SPD 2011 and the design guidance within the NPPF.

Mix/Affordable Housing

- 5.13 A mix of two, three and four bedroom dwellings is proposed, which is considered appropriate for this location, meeting housing need.
- 5.14 Policy compliant affordable housing is provided.

Access/Parking/Highways

- 5.15 A Transport Report accompanies this submission, addressing highway and parking issues satisfactorily.
- 5.16 Access from the road network into the site is via a modified existing access to the site off Warblington Road.
- 5.17 Parking provision is in accordance with standards and requirements.
- 5.18 The increase in traffic will not have a severe or significant impact on the surrounding road network.
- 5.19 No materially significant highways impacts are expected as a result of the development.

Flooding/Drainage

- 5.20 A Flood Risk & Drainage Strategy forms part of the application.
- 5.21 The developed part of the site avoids the flood zones closest to the waterfront and should, therefore, be considered acceptable in relation to flooding and drainage.

Ecology/Trees

- 5.22 An Arboricultural Report accompanies this planning application. The site has mature trees and shrubs mainly around the boundaries. These will be retained and enhanced where necessary. Some trees are proposed to be felled, which is justified to be acceptable in the accompanying Arboricultural Report.
- 5.23 New planting will feature native species and perennial shrubs to provide year-round ground cover.
- 5.24 An ecology report accompanies this submission.
- 5.25 The nutrient neutrality position has changed relatively recently in Havant. The proposed scheme at 15 units should be capable of mitigation via a financial contribution.
- 5.26 There are therefore considered to be no unacceptable ecology or tree impacts associated with this development.

CIL/S106/Planning Obligations

- 5.27 As a major application, it is expected that CIL and necessary and relevant contributions will be requested, which the applicant is content to discuss and agree during the application process.

6.0 Conclusion

- 6.1 The Proposed Development is a major planning application for 15 dwellings on an urban site.
- 6.2 A pre-application submission was made and the responses from the Local Planning Authority have been taken into account in finalizing the scheme. The principle was and is considered to be acceptable to the Local Planning Authority.
- 6.3 The principle of the proposed development should be considered acceptable due to the Local Planning Authority having already found the site to be acceptable for about 20 dwellings in relatively recent Local Plan assessments and Housing Delivery reports. The proposal will also assist in supporting a poor housing supply in the Borough at the present time.
- 6.4 The proposals address the site sensitively and appropriately for the sites location adjoining the waterfront.
- 6.5 All technical matters have been addressed in accompanying reports. Any outstanding matters can be dealt with via condition. There are, therefore, no identified technical issues which would give rise to concern should the scheme be recommended for approval.
- 6.6 The proposed development is considered sustainable because of its location and transport links. It accords with both Central Government guidance for housing development as well as Havant Borough Council up-to date guidance and policies, as well as the Emsworth Neighbourhood Plan.
- 6.7 Government advice is to accord substantial and significant weight in the planning balance to the delivery of schemes such as this and there are numerous significant economic, social and environmental benefits arising which are material considerations that support approving the application.
- 6.8 It is therefore considered that the development is acceptable, bolstered by a series of material considerations that all weigh in favour of granting permission for the application.
- 6.9 The presumption in favour of sustainable development should apply and we respectfully request that the application be approved without delay.