

Detailed planning application for the retention of Fowley Cottage and tennis court, demolition of existing garage and the construction of 9 No. new dwellings within the existing residential curtilage

at

46 Warblington Road
Emsworth
Hampshire
PO10 7HH

for Mr C Glanville

Ref: 17045/PS01

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1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Mr Charles Glanville by Genesis Town Planning Ltd. It accompanies a detailed planning application for the retention of Fowley Cottage, the demolition of the existing garage and the construction of nine new dwellings at 46 Warblington Road, Emsworth, Hampshire PO10 7HH.
- 1.2 The application documentation comprises this Planning Statement and the documents listed below:
- Design and Access Statement by Re-Format LLP
 - Arboricultural Method Statement by David Archer Associates
 - Ecological Impact Assessment (Bats) by Ecosa
 - Flood Risk Assessment by Bellamy Roberts LLP
 - Transport Statement by Bellamy Roberts LLP
 - Plans/Drawings identified on Drawings Issue List
- 1.3 The next sections of this Statement consider the site and surroundings; its planning history; the proposed development; planning policy considerations at national and local levels; and the merits of the proposed development.

2.0 APPLICATION SITE AND SURROUNDINGS

The Application Site

- 2.1 The application site is approximately 0.71 hectares (1.75 acres) in size. It currently comprises most of the existing residential curtilage of Fowley Cottage (the Cottage and tennis court are excluded) and includes part of a private access road known as Curlew Close, located to the west, which provides vehicular access to three adjacent houses. The southernmost part of the garden area of Fowley Cottage falls within Flood Zones 2 and 3 and is excluded from the application site boundary. This part of the site also falls within an area defined as the Coastal Zone.
- 2.2 The site lies within the urban area boundary of Emsworth and contains Fowley Cottage which is a large two storey house with a clay tile roof constructed in the early to mid-20th Century. The house is set back from the public realm and is set in substantial grounds. It also contains a tennis court and several small outbuildings including a garage. These features are not clearly visible from the public realm owing to a number of trees (some of which are the subject of Tree Preservation Orders (TPOs), some being part of a group and others being individual) and hedges within the site plus boundary fencing.
- 2.3 The property is currently accessed via a gated entrance onto Warblington Road (to the north). Curlew Close (which is a private road) is adjacent to parts of the western boundary. Havant footpath 56 (Wayfarer's Way), which forms part of public footpath network around the waterfront, is adjacent to the southern boundary of the property.

The Surrounding Area

- 2.4 The immediate surrounding area to the north, east and west is primarily residential in character comprising mainly two storey detached dwellings set in landscaped grounds. Chichester Harbour is located to the south of the house and grounds which is a designated Area of Outstanding Natural Beauty (AONB). The harbour also forms part of a Site of Special Scientific Interest (SSSI), RAMSAR, and the Solent Special Protection Area (SPA) and Special Area of Conservation (SAC).
- 2.5 Emsworth town centre is located approximately 800 metre walking distance to the west; about 1.1km from Emsworth Railway Station and about 3.0km east of Havant Town Centre.

3.0 RELEVANT PLANNING HISTORY

- 3.1 Several applications have been submitted in respect of the property over the years. The majority relate to works to protected trees. Several applications relate to the development of additional dwellings within the site. Applications displayed on the Havant Borough website of most relevance to this application are set out below:

91/51660/001: Renewal of outline permission 16871/4 for two chalet bungalows with garages. Permitted 21 February 1991.

94/51660/002: Renewal of outline consent for two chalet bungalows with garages. Permitted 31 March 1994.

98/51660/003: Residential development comprising seven detached houses and garages, including a new access for two of those houses from Warblington Road, and modifications of an existing private drive from Warblington Road to serve five of those houses. Permitted 3 July 1998.

01/51660/005: Renewal of outline application 98/51660/3 for seven detached houses and garages with new access for two of those dwellings onto Warblington Road and modifications of an existing private drive from Warblington Road to serve five of those houses plus Fowley Cottage. Permitted 3 December 2001.

APP/19/00623: Retain existing 'Fowley Cottage' dwelling and construction of seven detached dwellings, two on Warblington Road and five to rear garden area. Access to Plot 5 to be taken off Warblington Road, access to Plots 1-4, 6 and 7 to be taken off Curlew Close. Planning permission was refused on 29th April 2020 for the four reasons summarised below:

1. Absence of a suitable agreement to secure appropriate mitigation measures for the Solent Special Protection Areas.
2. The proposed density of 8.5 dwellings per hectare (gross)/14.4 dwellings per hectare (net) fails to make efficient use of land.
3. The submitted Flood Risk Assessment (FRA) does not comply with the requirements for site specific flood risk assessments.
4. Lack of a full up to date ecological survey that is required to assess the ecological impacts of the proposal and any appropriate mitigation.

4.0 THE PROPOSED DEVELOPMENT

- 4.1 Detailed Planning permission is sought for the retention of the existing residential property known as Fowley Cottage and the construction of 9 No. new dwellings within the existing residential curtilage.
- 4.2 The proposed development has arisen from the comments and concerns raised by the case officer dealing with application APP/19/00623 referred to in the previous section. The proposed scheme is set out in more detail in the Design & Access Statement prepared by Re-Format LLP Architects which forms part of the application submission documents.
- 4.3 In summary the application includes the following elements:
- Retention of Fowley Cottage and tennis court;
 - The demolition of the existing garage and outbuildings located to the north of the tennis court;
 - The construction of nine two-storey dwellings in the following mix:
 - 2 x 2-bedroom detached houses
 - 2 x 3-bedroom detached houses
 - 5 x 4-bedroom detached houses
 - Plots 1 to 5 would be accessed via a new drive that connects into Curlew Close;
 - Plots 6 and 7 would be accessed directly from Curlew Close;
 - The existing access to Fowley Cottage from Warblington Road would be relocated approximately 6m to the east. This new access will serve Plot 8 and the retained Fowley Cottage;
 - Plot 9 would be accessed through the construction of a separate new vehicular access directly onto Warblington Road; and
 - The provision of a new private footpath link to the waterfront (Havant Footpath 56 – Wayfarer’s Way) for the residents of the proposed development.

5.0 PLANNING POLICY CONSIDERATIONS

- 5.1 Planning policy considerations relevant to this planning application comprise the National Planning Policy Framework revised in February 2019, the Havant Borough Core Strategy 2011 and Havant Borough Local Plan (Allocations) July 2014. Emerging policy in the proposed Replacement Local Plan 2016-2036 and the Emsworth Neighbourhood Plan (Post Examination Version). As the emerging Replacement Local Plan is not at advanced stage it only carries limited weight in determining planning applications.

National Planning Policy Framework

- 5.2 The National Planning Policy Framework (NPPF) confirms that the principle of determining planning applications shall continue to be in accordance with the Development Plan unless material considerations indicate otherwise (paragraph 2). Paragraph 11 deals with the presumption in favour of sustainable development which for decision taking on planning applications, means:
- Approving development proposals that accord with the development plan without delay; or
 - Where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, granting permission unless:
 - The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 5.3 The NPPF encourages pre-application dialogue with the applicant (para 39-41). Regarding emerging policy, it states that weight can be given to emerging policy depending on the stage of preparation, the extent of any unresolved objections and degree of consistency with national policy in the Framework (paragraph 48).
- 5.4 Section 11 provides guidance on making effective use of land. Paragraph 117 confirms that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. The above is also reflected in paragraph 122 which supports development that makes efficient use of land and goes on to set out various criterion that should be considered. Criteria d) refers to the desirability of maintaining an area's prevailing character and setting (including residential gardens) or promoting regeneration and changes.
- 5.5 On design, section 12 sets out to ensure that developments function well and are visually attractive as a result of good design, layout and effective landscaping. Paragraph 127 c) confirms that developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging

appropriate innovation or change (such as increased densities). Paragraph 128 encourages discussion between applicants and the LPA about the design of emerging schemes and applications that demonstrate proactive engagement should be looked on more favourably than those that do not. Where design accords with expectations in plan policies it should not be used by the decision maker as a valid reason to object to development (paragraph 130).

- 5.6 Section 14 deals with climate change and flooding. Paragraph 155 confirms that development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 confirms that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment.
- 5.7 The conservation and enhancement of the natural environment is considered in Section 15. Paragraph 170 confirms that planning policies and decisions should contribute to and enhance the natural and local environment. Although the site is within the settlement boundary of Emsworth, it lies adjacent to the Chichester Harbour Area of Outstanding Natural Beauty (AONB) which is also a RAMSAR, Special Protection Area (SPA) and Special Area of Conservation (SAC). Paragraph 172 states that great weight should be given to conserving and enhancing the landscape and scenic beauty of the AONB. The scale and extent of development within these designated areas should be limited.

Local Plan Policy

Havant Borough Core Strategy

- 5.8 The Core Strategy was adopted in 2011 and provides guidance for new development in the Borough up to 2026. Relevant policies are CS9, CS11, CS12, CS15, CS16, CS17, CS21 and DM9.
- 5.9 **Policy CS9** provides for the delivery of a net total of 6,300 new houses across the Borough between 2006 and 2026. Criterion 2 sets out the Borough's target for the delivery of affordable homes. It confirms that on schemes comprising 15 or more dwellings an average of 30-40% of new homes should be affordable and provided on-site. With schemes of between 5-14 dwellings either on-site provision or a suitable contribution for off-site provision will be sought at an average requirement of between 30-40%.
- 5.10 **Policy CS11** provides for the protection and enhancement of the Special Environment and Heritage of Havant Borough. It confirms that planning permission will be granted for development that meets various criterion. Criterion 2 requires the protection and where possible the enhancement of the Borough's statutory and non-statutory designated landscape and criterion 3 requires development to have regard to the various nature conservation designations including SPAs and SACs etc.

- 5.11 **Policy CS12** permits development where it carefully assesses the impact of individual proposals and their cumulative effect, on the Chichester Harbour AONB, and its setting.
- 5.12 **Policy CS15** is concerned with flood risk and coastal erosion. The policy sets out the circumstances when development will be permitted on areas at risk of flooding. The application site and all the proposed built form falls within Flood Zone 1. The rear garden areas of the two southern most plots (Plots 1 and 2) fall within Flood Zones 2 and 3. A Flood Risk Assessment and consultation with the Environment Agency has been undertaken. The FRA confirms that the application site is not at risk of flood from groundwater, surface water, fluvial or tidal flooding. Accordingly, the site is considered to be at low risk from flooding.
- 5.13 **Policy CS16** requires high quality design, protection of residential amenity and developments that produce a positive relationship between buildings, streets and spaces. The policy sets out a range of criteria based requirements which new development should aim to meet. These include:
- Identifying and responding positively to existing features of natural or local character within or close to the proposed development site;
 - Integrating with the existing local landscape features;
 - Using the characteristics of the locality to inform design, including height, mass, plot widths/ depths, materials and proportions;
 - Ensuring development connects and integrates with the immediate local area;
 - Avoiding unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking;
 - Creating positive relationships between buildings, street and spaces, reducing the opportunities for crime, avoiding streets dominated by traffic and creating legible layouts;
 - Making a positive contribution to the public realm through the use of high quality hard and soft landscape materials; and
 - Be inclusive, recognising the needs of those with disabilities.
- 5.14 **CS17** encourages the most effective use of land including the concentration of development within existing urban areas of the Borough, including Emsworth. Criterion 2 prioritises development on previously developed land, including redundant, derelict or underused land and buildings within the urban area.
- 5.15 **CS21** is a general policy requiring infrastructure requirements to be met. In this regard the development will make appropriate contributions to the Solent Mitigation Strategy and the required CIL charge.
- 5.16 **DM9** relates to development in the Coastal Zone. Plots 1 and 2 fall within this designation. This policy confirms that planning permission for development in the Coastal Zone will only be granted where it addresses all of the relevant criteria:

1. Has no harmful effects on nature conservation within the Chichester and Langstone Harbour SSSI's and SPA, Solent Maritime SAC and Ramsar Site, or any SINCR and Local Nature Reserves
2. Maintains and enhances the appearance and distinctiveness of existing settlements and landmarks along the coast
3. Contributes positively to the landscape and has regard to best practice on the design of new buildings in coastal locations
4. Upgrades existing footpaths and ensures that public access is retained and provided to connect existing paths along the waterfront where appropriate
5. Would result in improvements to or redistribution of moorings, marine berths or launch on demand facilities (dry births) in the harbours
6. Would not be detrimental to infrastructure for, and quality of, water-based recreation, or be detrimental to the safety of navigation
7. Provides recreational opportunities that do not adversely effect the character and appearance of the coast

Havant Borough Local Plan (Allocations) – July 2014

- 5.17 This Plan was adopted in 2014 and follows on from the Core Strategy. It sets out the Borough's vision for the delivery of housing and economic development up to 2026. The main aim of the Plan is to assist the Borough's delivery of new housing and employment land through a planned release of allocation sites. The Plan also replaces the remaining saved policies for the Havant Borough District-Wide Local Plan and includes a number of policies in addition to those contained in the Core Strategy.
- 5.18 **Policy AL1** is concerned with the presumption in favour of sustainable development emphasising that the Borough Council will take a positive approach that reflects the advice and guidance set out in national planning policy. The policy confirms that planning permission will be granted for sustainable development unless material considerations indicate otherwise.
- 5.19 Emsworth is identified as one of five areas within the Borough earmarked for new housing development with the aim delivering between 745-826 dwellings in the plan period. Of this total around 179-260 dwellings remain to be allocated to meet need between 2013 and 2026.

Emerging Policy

Havant Borough Local Plan 2036 – Pre-Submission Draft 2019

- 5.20 The emerging Local Plan was published for consultation in February/March 2019. As a result of comments made during the consultation plus ongoing work being carried out on nutrient neutrality and on transport the draft plan will be amended and subject to further public

consultation. A date for this has yet to be confirmed. The draft Plan takes forward many of the adopted policies and whilst it is at an early stage of preparation only limited weight can be attached to the policies. Nevertheless, the emerging policies give direction to the Borough's strategy moving forward and those emerging policies are potentially more up to date and in-line with current national policy when compared to the adopted Core Strategy and Allocations Local Plan. The thrust of the emerging plan remains focussed on the delivery of sustainable development in the form of 10,231 houses between 2016 and 2036. Of these, 1,372 are anticipated to be developed on windfall sites. A number of emerging policies are relevant. These include the following.

- 5.21 **Emerging Policy E16** is concerned with Solent Special Protection Areas. The application site falls within the Solent SPA buffer zone. The policy confirms that planning permission will be granted for new dwellings that mitigate the likely significant effect on the Solent SPAs through the provision of financial contributions.
- 5.22 **Emerging Policy E19** is concerned with managing flood risk in new development. This requires certain measures to be put in place where development is proposed within flood zones 2 and 3. The application is accompanied by a detailed FRA following consultation with the EA that confirms the development is not at risk from flooding.
- 5.23 **Emerging Policy H2** is concerned with the provision of affordable housing and adopts a more flexible approach to meet the needs of those genuinely in need of affordable accommodation. The policy sets out that only residential development that results in a net gain of 10 or more dwellings will be required to provide 30% affordable housing. This policy is more aligned with up to date national planning policy advice compared to the adopted Core Strategy Policies.
- 5.24 **Emerging Policy H3** is concerned with housing density. It confirms that for developments comprising a net gain of five or more dwellings, planning permission will be granted where the development achieves the following densities:
- Within Havant and Waterlooville town centres, Leigh Park and Emsworth District Centres – 70dph;
 - Within the defined opportunity area – 55dph; and
 - Elsewhere in the Borough – 40dph.

The policy also requires new development to provide distinctive character and articulation within the overall building design.

- 5.25 **Emerging Policy H4** requires that for developments of 10 or more new homes that a range of dwelling types and sizes to meet identified local needs is provided.

- 5.26 The Emerging Local Plan identifies the application site for residential redevelopment under **Emerging Policy H13 – Fowley Cottage**. This policy seeks to allocate the site for about 40 dwellings.

Emsworth Neighbourhood Plan 2019-2036

- 5.27 The Emsworth Neighbourhood Plan is at an advanced stage having been made the subject of an Examination in the Summer/Autumn of 2019. The Examiner's Report was published on 6th January 2020. The Examiner confirmed that the draft Plan meets the basic conditions subject to a series of recommended modifications. The Borough Council decided to accept the Examiners recommendations and was intending to hold a Referendum on 7th May 2020 at which it would be decided whether the Neighbourhood Plan should be used to decide planning applications in the Neighbourhood Area. Unfortunately, the Referendum has been postponed for the time being because of the Coronavirus pandemic. The Government has advised in situations like this that the Neighbourhood Plan can be given significant weight in decision making in advance of a Referendum.
- 5.28 Relevant policies in the Post Examination version of the Neighbourhood Plan include the following:
- 5.29 **Policy L1: General Housing Policy** - Criterion a) confirms that for developments of more than 10 units, should deliver affordable housing with the appropriate amount and tenure types as stated in the Local Plan. Criterion c) requires new residential developments on or adjacent to the waterfront to safeguard public access to the waterfront and where appropriate, incorporate the access into the design and layout. Proposals which would have an unacceptable impact on public footpaths and other public access will not be supported.
- 5.30 **Policy WF1:** Criterion a) confirms that except in exceptional circumstances, any new development on any waterfront site shall provide public access to the waterfront.
- 5.31 **Policy D1: General Design Policy** confirms that all new developments and redevelopment proposals across the neighbourhood plan area should be of high quality, in accordance with the other policies and the other provisions contained within the neighbourhood plan. Criterion b) confirms that the impact of any development, along with any required landscape mitigation measures, should be specified in a Design & Access Statement; and c) development proposals should have regard to the Design Checklist forming part of the plan.
- 5.32 **Policy D2: Height, Mass & Materials** confirms in Criterion a) that all new buildings should enhance the character of the area and be appropriate in height, mass and materials. In most cases this will mean buildings constructed or clad in materials typical for the area with any pitched roofs being of slate or tile. Criterion b) states that other than in exceptional circumstances, new buildings should be no more than three storeys in height, including the use of the roof to provide

for up to four floors of useable space; and, criterion c) confirms that proposals for the use of upper floors for residential development in new developments will be supported where, as appropriate to the nature of the development concerned, they are to a high design standard and respect the scale of neighbouring buildings.

- 5.33 **Policy D3: Layout, Form & Density** confirms that the layout, form and density of new developments should reflect the historic urban grain of the historic parts of the neighbourhood area and its specific characteristics, unless site specific conditions suggest otherwise. It goes on to confirm that development proposals should make the most efficient use of land and be developed at the optimum density. The optimum density should result from a design-led approach to determine the capacity of the site, with particular consideration given to:
- The site context
 - Its connectivity and accessibility to surrounding areas by walking, cycling and public transport.
- 5.34 **Policy D4: Design of Public Spaces & External Area** - Criterion b) confirms that development should make the public realm comprehensible at a human scale, particularly towards the waterfront and other key features such as public footpaths, walking trails, green spaces and recreational spaces.
- 5.35 **Policy D5: Integration & Strong Connections** confirms that all redevelopment proposals need to demonstrate how they will relate to the wider Emsworth context, with specific reference to clear and convenient connections with the town centre, the creation of public access leading to the waterfront and with surrounding adjacent areas.

6.0 PLANNING CONSIDERATIONS

- 6.1 The main planning considerations in determining this application are set out below:

The Principle of Development

- 6.2 The application site falls within the urban area boundary of Emsworth as defined on Map 8 of Proposals Map of the Local Plan. Emsworth is one of the five main settlements in the Borough where new housing development is provided for by Policy CS17 of the adopted Core Strategy and Local Plan (Allocations) Document. It is also consistent with relevant policies contained in the emerging Havant Local Plan 2036 and the Emsworth Neighbourhood Plan. As a result, it is clear that the proposed development accords with extant and emerging Development Plan policy which encourage and support new development within the urban area boundary. Previous planning permissions ranging from two to seven dwellings on the site between February 1991 and December 2001 demonstrate that the provision of new homes on the site has been acceptable in the past.

Suitability of Site for Housing

- 6.3 As previously mentioned, the application site falls within the urban area and falls within an established residential neighbourhood with residential dwellings (mainly two storey detached properties) located immediately to the north, east and west. The application site is contained by existing boundary features including fences, trees and other soft landscaping. It is located approximately 800 metre walking distance to the west of Emsworth town centre, about 1.1km from Emsworth railway station and about 3.0km to east of Havant town centre. As such the application site is in a sustainable location. The suitability of the site for housing is also acknowledged in the Strategic Housing Land Availability Assessment (SHLAA) - 11th Edition of January 2019. It is assessed under Site Ref EM3 - Fowley Cottage, which confirms that it is developable for up to 40 dwellings subject to a scheme that preserves and enhances the Chichester Harbour AONB and has regard to flood risk and the nearby RAMSAR, SPA, SAC and SSSI.
- 6.4 There are no landownership constraints or physical infrastructure limitations that would prevent the proposed development. The site is in close proximity to a number of local facilities and public transport options. Overall, the site is in a sustainable location and is well suited for the development that is proposed. The scheme therefore accords with paragraph 11 of the NPPF; Policy CS17 of the Core Strategy; Policy AL1 of the Local Plan (Allocations) document; and Policy H13 of the emerging Local Plan 2036.

Layout

- 6.5 The layout of the proposed development is described in detail in the accompanying Design and Access Statement prepared by Re-Format LLP. The layout has been informed by the character of surrounding area and various constraints within or close to the site. These include the proximity of various Tree Preservation Order (TPO) trees and other high quality trees all of which have been retained with suitable tree protection zones; a public foul sewer that crosses the site which requires a 3m wide easement zone kept free of new building structures; and, the southern part of the site falling within Flood Zones 2 and 3 where no built development is proposed as this part of the site would be retained as residential garden areas to Plots 1 and 2. These constraints have informed the proposed layout which has reduced the net density of the development.
- 6.6 The scheme also provides the creation of a new private access to Havant Footpath 56 (Wayfarer's Way) adjacent to the waterfront to the south. Whilst it is acknowledged that Policy H13 of the emerging Local Plan 2036 and Policies L1 and D5 of the Neighbourhood Plan seek the creation of public access leading to the waterfront it is not practicable or appropriate to provide a public link between Warblington Road and the waterfront given that Fowley Cottage and tennis court are to be retained in separate ownership which prevents the creation of a direct link. In addition, it is important to note that there are already two direct public connections to the waterfront in the immediate vicinity (i.e. from the public footpath from Beacon Square about 120m to the east and the public road/pavement from Kings Road about 140m to west). As such another connection is not therefore required or appropriate.
- 6.7 Overall, the proposed development would result in a high quality layout that respects the character of the surrounding area and clearly accords with guidance set out in paragraph 12 of the NPPF and Policy CS16 of the Core Strategy. It also reaches an acceptable balance in the context of Policies L1, D3 and D5 of the Neighbourhood Plan in respect of pedestrian connections to the waterfront.

Density

- 6.8 The proposed development has a gross overall density of 12.6 dwellings per hectare (dph). This however increases to about 19 dph (net) based upon the developable area of the site i.e. excluding the constrained parts of the site such as Flood Zones 2 and 3; the foul sewer easement zone; and the root protection areas of TPO/high quality trees etc. Whilst this density is below the suggested yield of 40 dwellings as set out in the 11th Edition of the SHLAA (January 2019) and Policy H13 of the emerging Local Plan 2036, regard has to be given the character and setting of the surrounding area. These considerations are also identified in point 43 of Design Check List of the Neighbourhood Plan (page 47).
- 6.9 Drawing No. 15048-RFT-00-ZZ-DR-A-0123-S1 Rev 04: **Figure Ground as Proposed** shows the urban grain and density of the surrounding area, which overall is predominantly low density of about 10.35 dph and mainly two storey in height. In addition to giving consideration to the character and setting of the surrounding built form this there is a need to protect the setting of

the Chichester Harbour AONB which acts as another limitation on the amount of development that can be satisfactorily provided on the site without causing unacceptable harm. The proposed development has two distinct areas. The first relates to Plots 6, 7, 8 and 9 which are medium/high density and more in keeping with the size of the existing plots to the north-east (Nos 34 to 44 Warblington Road). The second area relates to plots 1 to 5 which are generally medium to low density and reflective of the density of adjacent waterfront properties to the east (22/22a Beacon Square) and to the west (3 Curlew Close).

- 6.10 The proposed development would result in a net increase of nine dwellings which clearly results in a more efficient use of the site compared to the existing situation. As such the proposed development accords with paragraphs 117 and 127c) of the NPPF and Policy CS17 of the adopted Core Strategy. The proposed density reaches an acceptable level when compared to the density of the surrounding area thereby maintaining its character and general form. As such, and on balance, it is considered that the proposed density is acceptable for this location.

Dwelling Mix

- 6.11 The proposed development provides a total of nine new dwellings in a variety of house types (five individual house types) and sizes. These include the following:
- 2 x 2-bedroom detached houses (100m² Gross Internal Area -GIA)
 - 3 x 3-bedroom detached houses (170m² GIA)
 - 5 x 4-bedroom detached houses (145m² to 278m² GIA)
- 6.12 The proposed mix provides a good mix of house types and sizes which will help meet identified local housing need and contribute to the development of mixed and sustainable communities. On balance the proposed mix is consistent with Core Strategy Policy CS 9.

Affordable Housing

- 6.13 As the proposed development seeks permission for 9 No. (net) new houses it falls below the affordable housing threshold of 15 or more dwellings (gross) as set out in the adopted Core Strategy CS9 (which is now out of date because of newer National Guidance) and 10 or more dwellings (net) required by Policy H2 of the emerging Local Plan 2036 and Policy L1 of the Emsworth Neighbourhood Plan. As such there is no requirement to provide affordable homes as part of the development proposals.

Scale and Appearance

- 6.14 The proposed new dwellings are no more than two storeys in height with pitched roofs. This design approach is consistent with the character and form of surrounding development which mainly comprises two storey residential properties with pitched roofs. Most of the proposed

dwelling also incorporate single storey elements with flat green roofs covered in grass. The design proposals are contemporary in appearance and typically consist of a narrow two-storey element and a single storey section, which in conjunction deliver the required footprint whilst minimising overall mass and maintaining vistas through the site. This gives the impression of spaciousness and provides the opportunity for green landscaping between buildings which is encouraged in point 43 of Design Check List of the Neighbourhood Plan (page 47).

- 6.15 The scheme uses a wide palette of materials including glazing, grey brickwork, natural timber boarding and a mix of riven slates for the two storey elements and green roofs for some single storey elements. The design and use of materials are set out in more detail in the accompanying Design and Access Statement prepared by Re-Format LLP. The design and appearance of the proposed development is clearly of a high quality that creates a positive relationship between buildings, streets and spaces in accordance with Core Strategy Policy SC16 and Policies D1, D2 and D3 of the Emsworth Neighbourhood Plan.

Trees and Landscape

- 6.16 Careful consideration has been given to the retention and safeguarding of as many of the existing trees within the site (some of which are the subject TPOs) as possible. This has the benefit of making best use of the existing landscape features within the site. An Agricultural Method Statement prepared by David Archer Associates forms part of the application submission documents. This confirms that in total there are 26 No. individual trees within the site plus two groups (G1 and G2). Of the individual trees these comprise:

- 2 No. Category 'A'
- 8 No. Category 'B'
- 14 No. Category 'C'
- 2 No. Category 'U'

- 6.17 One of the Groups (G1) is Category 'C' and the other (G2) is Category 'B'.

- 6.18 To make efficient and effective use of the site it is inevitable that some trees will need to be felled or trimmed. A total of 14 No. trees would be felled. These would mainly be Category 'C' and 'U'. Only one Category 'B' tree (No. 22 – Himalayan Birch) would be felled as it is within the footprint of a building. The crown of one Category 'A' tree (No. 25 – English Oak) would be lifted to provide clearance over an access road; and two Category 'B' trees (Nos 9 & 10 – Monterey Cypress) and part of G2 (Scots Pine, Beech and Horse Chestnut) would require crown lifting/thinning.

- 6.19 The proposed locations of new buildings are arranged so that the retained trees would provide useful screening as well as creating a mature and established setting. New tree and hedge planting would be incorporated for the division of plots. Precise landscaping details would be

dealt with by a landscaping condition. Overall, the proposed development accords with Core Strategy Policy CS16 as it responds positively to existing features of natural or local character and integrates with the existing local landscape features.

Transport and Access Matters

- 6.20 The existing vehicular access onto/from Warblington Road serving Fowley Cottage will be relocated approximately 6m to the east to serve the retained Fowley Cottage and Plot No. 8. It is proposed to construct a new access drive directly onto Warblington Road to serve Plot No. 9. Both new access points would have visibility splays of 2.4m by 43m which accord with current standards. Owing to a restrictive covenant that restricts the number of dwellings that can be accessed from Curlew Close (to the south of Fowley Cottage) to five the proposed dwellings on Plots 1 to 5 would be accessed by the construction a new access road from Curlew Close (to the west). Plots 6 and 7 would be accessed directly from Curlew Drive. A turning head is provided within the site to the north of Plots 1 and 2 which will enable large vehicles such as refuse trucks and fire tenders to turn on site.
- 6.21 The proposed layout provides sufficient space for car and cycle parking to meet current standards. These arrangements are described in more detail in paragraphs 4.11 to 4.13 of the Transport Statement prepared by Bellamy Roberts LLP. The Transport Statement also confirms that the proposed development will generate minimal traffic flows with combined daily two-way traffic flows of 43 vehicles; and just six movements during the morning peak and four movements during the evening peak.
- 6.22 Given the site's reasonably close proximity to the town centre, the railway station and public bus routes that operate within the settlement the occupiers of the proposed development have the choice of walking, cycling and using public transport options to access the town centre and nearby settlements.
- 6.23 In terms of transport and access matters the proposed development accords with guidance set out in the NPPF and Policy DP5 of the Neighbourhood Plan.

Flooding and Drainage

- 6.24 A Flood Risk Assessment (FRA) prepared by Bellamy Roberts LLP forms part of the application submission. This confirms that all of the application site defined by the red line boundary falls within Flood Zone 1 and as such the site is at low risk from flooding. It also confirms that the application site not at risk of flooding from surface water or rivers. The southern tip of the existing rear garden area (edged blue and therefore not included in the application site) falls within Flood Zones 2 and 3. The proposed site layout confirms that all of the dwellings and other built form will be located in Flood Zone 1.

- 6.25 Plots 1 and 2 may be affected by rising sea levels forecasted in 2115 and as such the finished floor levels of these properties will be a minimum of 4.5 m AOD, and therefore above the 2115 estimated flood level. Similarly, the southern part of the new access drive will be designed to be above the estimated 2015 flood level of 4.5 AOD. The rear garden areas of Plots 1 and 2 fall within Flood Zones 2 and 3 which is an acceptable use for land in these two zones. As such the proposed development is not at risk from groundwater, surface water, fluvial or tidal flooding.
- 6.26 With regard to post development runoff the FRA confirms that the infiltration testing suggests that the sub-strata is not suitable for soakaway drainage. As a result, it is proposed that three storage tanks could be provided within the site to store surface water from each property and carriageway (all driveways to be permeable paving). Each tank will discharge into the nearby surface water sewer. The discharge rate will be controlled via a hydro-brake and will be limited to 10.9 litres per second.
- 6.27 Overall the proposed development accords with guidance contained with paragraph 163 of the NPPF; Policy CS15 of the Core Strategy, and Policy E19 of the emerging Local Plan 2036.

Mineral Safeguarding Area

- 6.28 The application site falls within a Mineral Safeguarding Area as defined by the Hampshire Minerals and Waste Plan, because it is likely to be underlain by sand and gravel. It would not be commercially viable to extract the potential mineral because of relatively small size of the site and its close proximity to existing housing (to the north, east and west which are classified as sensitive receptors). The extraction of the minerals is likely to result in unacceptable harm to the amenity of nearby occupants by increased noise, vibration and dust generation linked to extraction. As such the proposed development is not sterilised by these mineral reserves.

Chichester Harbour AONB

- 6.29 The proposed layout of the site has been influenced by the close proximity of the Chichester Harbour AONB which lies immediately to the south. The form and orientation of the buildings within Plots 1 and 2 include narrow barn type structures and retain open garden areas at the southern extremity of the existing residential curtilage. This approach promotes vistas through the site without resulting in unacceptable harm to the character and setting of the AONB. As a result, the proposed development accords with the sentiments of paragraphs 170 and 172 of the NPPF and Policy CS12 of the Core Strategy.

Ecology (Bats)

- 6.30 The application is accompanied by an Ecological Assessment in Respect of Bats prepared Ecosa. This considers the potential effects on bats by the proposed demolition of the existing garage located to the north of the tennis court. The report confirms that no bats were recorded emerging from the garage during the bat emergence/re-entry survey and therefore bats are assessed as being likely to be absent from the garage.

- 6.31 Although the assessment acknowledges that the site supports foraging and commuting bats any potential adverse impacts on these could be mitigated for by a sensitive lighting strategy. In addition, new bat roosts or bat tubes could be installed in the fabric of the new dwellings. This has the potential to provide suitable enhancement measures. On this basis the proposed development accords with paragraph 170 of the NPPF and Policy CS11 of the adopted Core Strategy.

Effects on RAMSAR, SPA and SAC

- 6.32 The application site abuts Chichester Harbour and falls within the Buffer Zone of the Solent Special Protection Areas which includes RAMSARs, Special Protection Areas (SPAs), and Special Areas of Conservation (SAC). As such the potential effects of the proposed development on these designations is an important consideration. In assessing the previous application APP/19/00623 for the demolition of Fawley Cottage and the construction of seven new dwellings (which is still pending a decision) the Borough Council carried out an Appropriate Assessment for the development. The consultation response of April 2020 by the Thames Solent Area Team of Natural England (NE) confirmed that subject to the appropriate financial contribution being secured, NE was satisfied that the proposed development would provide suitable mitigation against potential recreational impacts on these designations. On this basis the developers of the site would make the necessary financial contributions required by the Solent Mitigation Recreation Strategy to ensure that suitable mitigation is provided to safeguard these designations. In doing this the proposed development accords with Policy CS21 of the adopted Core Strategy and Policy E16 of the emerging Local Plan 2036.

7.0 SUMMARY AND CONCLUSION

7.1 The forgoing sections of this statement confirm the following:

- a) The application site is located within the urban boundary of Emsworth where there is a presumption in favour of sustainable development. The site is allocated for residential development in Policy H13 of the emerging Local Plan 2036 and the principle of residential development has been accepted by various planning permissions in the past.
- b) The proposed development would make efficient and effective use of land whilst also respecting the character and appearance of surrounding development.
- c) It is well related to existing residential development and is in a sustainable location that is within walking and cycling distance of Emsworth Town Centre and railway station.
- d) It provides a range of dwelling types and sizes including 2, 3 and 4 bedroom dwellings for which there is an acknowledged need for at Emsworth.
- e) The site is well contained in the existing landscape and would not result in unacceptable effects on the wider landscape setting or the character of the settlement or the Chichester Harbour AONB.
- f) The proposed development would be successfully assimilated into the settlement and the surrounding area.
- g) The development can be safely accessed from Warblington Road/Curlew Close without having unacceptable or severe impacts on the surrounding road network.
- h) It provides sufficient on-site car and cycle parking and turning.
- i) The application site is not in a high-risk flood area and the proposed development will not increase the risk of flooding elsewhere.
- j) Existing ecology and existing landscape features including TPO trees and hedgerows would not be significantly harmed by the proposed development. The scheme will incorporate appropriate ecological and landscape mitigation measures.
- k) The developers of the proposed development would pay the necessary financial contributions towards recreational mitigation. As a result, it would not cause unacceptable impacts or harm to the neighbouring SSSI, RAMSAR, SPA or SAC.

7.2 Overall the proposed scheme amounts to a sustainable development for which there is a presumption in favour of granting planning permission. The development would help increase the supply of housing in the Borough in a sustainable location; and would not result in demonstrable harm. We therefore trust that your Council will be able to grant detailed planning permission within the eight-week determination period.