

01/51660/007 - Crown reduce by 30% 1 Ash tree and 3 Beech trees at 46 Warblington Road, subject to TPO 1703 within Group G1., PERM,13/11/2001

01/51660/005 - 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., PERM,03/12/2001

01/51660/006 - Reduce Eastern sector of Norway Maple by 2m, and reduce Eastern sector of a Swedish Whitebeam by 1.5m, at 46 Warblington Road within Group G2 subject to TPO 1703., PERM,23/07/2001

99/51660/004 - Fell a Pine tree within Group 1 subject to TPO 1703, PERM,08/11/1999

98/51660/003 - 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, PERM,30/07/1998

94/51660/002 - Renewal of Outline consent for 2 chalet bungalows with garages., PERM,31/03/1994

91/51660/001 - Renewal of outline permission 16871/4 for two chalet bungalows with garages, PERM,21/02/1991

03/51660/008 - Reduce eastern sector by 2m and crown thin by 20% a Norway Maple and reduce eastern sector by 1.5m and crown thin by 30% a Whitebeam, both trees within Group G2 of TPO 1703., PERM,21/10/2003

07/51660/009 - Application to reduce overhang to 22a Beacon Square by 3m a Beech and Ash; to crown reduce by 20% a Holly Rowan and Hawthorn all within Area 1; subject to TPO 1703., PERM,29/05/2007

07/51660/010 - Crown reduce by 10% a Silver Birch tree (within Group 1) subject to TPO 1703. , PERM,28/09/2007

APP/13/00076 - Fell 1No. Pine and reduce eastern sector of 2No. Beech by 2.5m. Both trees are rear of 20 and 22A Beacon Square and within Group Order 1 of TPO 1703., PERM,01/03/2013

APP/13/00077 - Reduce 1No. Willow by 4m in height back to previous pruning points; fell 2No. Ash; reduce 1No. Beech by 3.5m in height and 1.5m in width. All trees to rear of 22A Beacon Square and within Group Order 1 of TPO 1703., PERM,01/03/2013

APP/13/00295 - Reduce 1No. Rowan by 3m in height and remove dead section on north sector; reduce height and east sector of 1No. Maple by 2.5m to previous pruning points. Both trees within G2 of TPO 1703., PERM,30/04/2013

APP/14/00156 - Reduce two branches of 1No. Monterey Pine (T6) by 3m at 6m height on west side of tree; subject to TPO 0891. , PERM,20/03/2014

APP/14/00133 - Reduce branches of 1No. Monterey Pine (T4) on western sector by 1-2m, subject to TPO 1352. , PERM,20/03/2014

APP/16/01141 - Crown lift 1No. Oak (T7) by 2m and remove deadwood; Crown lift 1No. Pine (T6) by 2m and remove split limb. Both trees subject to TPO 0891., PERM,06/01/2017

APP/16/01263 - Crown raise by 3m and crown reduce by 1.5m, 3No. Western Red Cedar Trees. All trees within G2 subject to TPO 0891. , PERM,31/01/2017

APP/19/00445 - Crown reduce 1No. Maple tree by 2.5M in height and 1.5M on laterals back to previous pruning points., PERM,31/05/2019

APP/19/00618 - Fell 1No Swedish Whitebeam (T1 on application form), within G2 group of trees subject to TPO 1703., DEL,

3 Proposal

The application as originally submitted comprised 6 no. 4 bed roomed large houses (one with a 'garden studio' single storey in height) and the retention of Fowley Cottage itself, which together with the tennis court and a significant diagonal slice of the harbour frontage of the land do not form part of the application site. During the course of the application the plans have been amended to increase the number of proposed dwellings by one to 7 and increasing (based on a site area of 0.82 ha) the density to 8.5 dwelling per hectare (dph) gross. It should be noted in this regard that the applicants have clarified that, when considering the net developable area of the site (allowing for constraining features such as a sewer easement and retained trees etc), the density rises to 14.4dph net.

The proposal provides for a private route through the site down to the harbour for future occupants of the proposed development.

All but one of the properties, plot 5 on the Warblington Road frontage, would be accessed off Curlew Close. Plot 5 together with the existing dwelling Fowley Cottage would be accessed off Warblington Road.

The submitted arboricultural report indicates that 13 individual trees and three groups of trees are to be felled and that the use of Curlew Close was to enable prominent protected trees at the north end of the site to be retained.

To reflect variation in ground levels, dwellings on plots 1 and 2 will be built on brick plinths at their southern end.

The layout and dwellings have been designed to provide each property with harbour views and the dwellings would be constructed of untreated vertical timber boarding on grey brickwork plinths with riven slate for the pitched roofs and planted single storey roofs, permeable bonded gravel is to be used to provide vehicular access

The proposed eaves height would be in the region of 6.2m above finished floor, and ridge 8.45m above finished floor. For comparison Fowley Cottage from internal FFL is to eaves 4.92m and to ridge 7.77m.

Each plot would sit roughly 150mm above existing ground level at the entrance onto Warblington Road. The site has a natural fall away to the sea, so external patios would have steps down to the existing garden levels, and those properties at the southern end of the site would be elevated by 400 to 500mm above existing ground level.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

The Chichester Harbour AONB Management Plan 2014-2019 and draft 2019-24 version

Emsworth Design Statement July 2008 as (adopted by Havant Borough Council)

The Havant Borough Townscape, Landscape and Seascape Character Assessment, February 2007 (HBLCA)

Landscape Character Assessment (NCA, 2014)

Emsworth Neighbour Plan

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS19	(Effective Provision of Infrastructure)
CS21	(Developer Requirements)
CS8	(Community Safety)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)
DM9 (Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

The Pre-submission Havant Borough Local Plan 2036 policies are of particular relevance:

- E1 High quality design
- E2 Health and wellbeing
- E3 Landscape and settlement boundaries
- H13 Fowley Cottage
- E11 Sports and recreation
- H1 High quality new homes
- H3 Housing density
- E1 High quality design
- IN1 Effective provision of infrastructure
- IN3 Transport and parking in new development
- E22 Amenity and pollution

The following policies from the Emsworth Neighbourhood Plan are also of relevance:

- 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
- L1 – General Housing Policy
- L2 – Housing Mix
- WF1 – Public Enjoyment of the Waterfront

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

I have no objection to the trees shown for removal. I agree with the Arboricultural Consultant's findings that they are 'C' class trees and shouldn't therefore be a constraint to the proposed development.

The Willow (T18) which is also shown for removal, is currently protected by a Tree Preservation Order. I would expect to see a suitable replacement be planted for this tree and details of which should be submitted for approval.

The Pines within (G3) on the Tree Protection Plan are shown for retention, however on the proposed site plan they are shown for removal. This should be clarified. If they are to be removed, suitable replacement trees should be planted and details submitted for approval.

It is noted that the new driveway at the front of the property is to be of 'No dig' construction. This work will need to be overseen by the appointed Arboricultural

Consultant.

The Arboricultural Method Statement makes no mention of the access to be created by the mature Oak tree (T25) off Curlew Close. A site specific method statement is required to be submitted for this and it should be a no dig construction.

Details of underground services and a demolition method statement should be submitted as part of the application process.

The Method Statement also makes reference to pre start meetings and on site Arboricultural supervision, This will be essential.

Re consultation comments: The revised layout does not appear to further impact trees however a revised Arb method statement and tree protection plan should be submitted to reflect the changes.

Further comments

The revised layout is acceptable however I would still like to see a replacement for the Willow (T18) which is protected by a Tree Preservation Order. Services will also need to be supplied (conditioned). The work should be carried out in strict accordance with the Arboricultural Method Statement and Tree Protection Plan.

Building Control

No adverse comments

Chichester Harbour Conservancy

No objection, provided -

- (a) The council secures the necessary SDMP payment to fund ecological mitigation from increased recreational disturbance through a formal legal agreement before the development commences;
- (b) the council is satisfied that no part of any existing structure needing to be demolished is currently being used as a bat roost;
- (c) Consideration should be given to handing the dwelling footprint of plot 4, to allow the private path down to the foreshore to be a continuous run (in the interests of crime prevention and ease of manoeuvring a small boat to the water); and,
- (d) subject to the following planning conditions being imposed: -
 - Tree protection to be in place before the commencement of development and retained throughout in accordance with the arborist report recommendations;
 - Any tree felling to take place outside the bird nesting season (i.e. not between March to October);
 - Agreement of a Construction Environment Management Plan, to ensure that the public right of way in front of the site is not obstructed during the build process;
 - Samples of external facing and roofing materials – including solar panels if they are to be installed on roof surfaces - to be agreed (with the Conservancy's preference of colour finishes of a dark hue);
 - A management plan should be prepared to maintain the land between the site and the coastal footpath and no structures should be erected within it (i.e. if these areas are to be formally conveyed to any of the residential plots proposed, permitted development rights relating to outbuildings, including swimming pools should be withdrawn);
 - Details of a hard and soft landscape design to follow the principles set out in the Terra Firma Landscape Strategy drawing 2067-TF-00-00-SK-L-0001 02 to be submitted for approval/implemented/maintained: the scheme should at least include the replanting of 20 new trees to heavy nursery standard; and,
 - Implementation to the incorporation of bat or bird boxes into the fabric of the new dwelling, and wildflower meadow planting, recommended by the applicant's ecologist, to achieve a net gain to biodiversity.

Coastal Engineering

No comments received

Community Infrastructure

The CIL rate is set out in our Charging Schedule:

<http://www.havant.gov.uk/sites/default/files/documents/HBC%20CIL%20Charging%20Schedule%20Full%20Document%20Feb%202013.pdf>

The amounts in the Charging Schedule are indexed according to the year in which permission is issued. If the permission is issued in 2019 the amount of indexation will be 39.73%.

We note that the applicant has submitted CIL Form 7 (1) to obtain Self Build Relief in respect of Plot 1. The Case Officer will need to advise the CI Team of the GIA in square metres to enable the CI Team to confirm the exemption.

S106

Subject to statutory consultee responses we would expect the S106 to include (amongst any other site specific obligations necessary):

1. Affordable Housing
2. Monitoring Fees*
3. Solent Recreation Mitigation Strategy (see further information)**
4. Highway Works (HCC)
5. Others? Nutrient neutrality - See www.havant.gov.uk/nitrogen

SEE THE HBC DEVELOPER CONTRIBUTIONS GUIDE FOR ADDITIONAL INFORMATION:

<http://www.havant.gov.uk/planning-and-environment/planning-policy/community-infrastructure-levy/developer-contributions-guide>

Countryside Access Team

No comments received

County Ecologist

The submitted Phase 1 Ecological Survey (EcoSupport, May 2019) is in draft format: we would expect a finalised document for planning purposes. In addition, additional ecological surveys have been recommended for wintering birds and roosting bats. The results of these surveys should be used to develop avoidance and mitigation measures. Again, these should be provided prior to determination. Given the close proximity of the application site to highly sensitive designated nature conservation sites, fully-detailed mitigation measures will be required, as will a Habitats Regulations Assessment.

NPPF, Circular 06/2005 and Natural England Standing Advice on Protected Species, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the LPA prior to determination, particularly in the case of protected species, which are a material planning consideration. This will enable the LPA to determine the application on the basis of full knowledge about the ecological impacts of the proposal and to ensure that any impacts can and will be mitigated, and are acceptable.

County Minerals

No comments received

Crime Prevention -Minor Apps

No comments received

Developer Services, Southern Water

Southern Water requests that this application is not determined until such time as the applicant produces a suitable development and drainage layout maintaining the below standoff distance requirement of public surface water sewer.

Conditions and informatives required.

Officer note- *Whilst the layout shows the proposed housing set off the sewer, there are no details in respect to the below standoff distances.*

Engineering/Drainage

No comments received

Environment Agency

In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

Reason

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance.

The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- take the impacts of climate change into account adequately. Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make the development resilient to the flood levels for 2115 of 4.5mAOD as stated in paragraph 1.14 of FLOOD_RISK_ASSESSMENT-1180237 (FRA) submitted with the application. Consequently the development proposes inadequate:
- Raised finished floor levels. Paragraph 1.16 of the FRA states “In this regard, floor levels of the southernmost properties could be designed to be above the 2115 estimated flood level of 4.5m AOD” , but it does not specify what they will actually be. The drawing in Appendix 6 titled “Foul and Surface Water Drainage Strategy” shows the 2 southern most properties as having finished flood levels (FFL) of 4.2mAOD and 4.1mAOD which are both below the expected 2115 flood level of 4.5mAOD.
- consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event
- Safe access and egress routes
- consider how a range of flooding events (including extreme events) will affect people and property
- Resistance and resilience measures

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA which

addresses the points highlighted above.

Advice to Applicant

Finished floor levels (FFL)

The FRA needs to ensure that built development proposals incorporate adequate flood risk mitigation up to the design flood level for 2115 of 4.5mAOD (as stated in the FRA). The following government website will assist the applicant in determining the adequate freeboard for the development (this includes coastal, estuarine and tidal) :
<https://www.gov.uk/government/publications/accounting-for-residual-uncertainty-an-update-to-the-fluvial-freeboard-guide>

Safe access and egress

The application needs to demonstrate that occupants can remain safe for the lifetime of the development when allowances for climate change are taken into consideration. There needs to be sufficient flood risk mitigation up to the design flood level and/or specified arrangements for safe access and egress.

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures if appropriate. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

Revised FRA

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it.

Environmental permit

Planning permission does not remove the requirement for an Environmental Permit. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Hampshire Highways

I confirm the Highway Authority have no objection subject to the following Conditions:

1. Prior to the occupation of Plot 5 any gates or other obstruction to the passage of vehicles provided on the proposed access to Warblington Road shall be located a minimum of 6m. from the nearside edge of the carriageway of Warblington Road and the same length shall be surfaced in a non migratory material.
2. Prior to each occupation the areas shown on the approved plan for the parking and

manoeuvring of vehicles for that plot shall be provided and reserved for those purposes at all times.

3. Prior to the first occupation visibility splays of 2.4m. x 43m. shall be provided at the junction of Curlew Close and the new access on to Warblington Road. The affected land shall be clear of obstruction between 0.6m. and 3m. above the adjacent carriageway level and maintained in this condition thereafter.

Hampshire Wildlife Trust, Beechcroft House

No comments received

Landscape Team

The application site includes numerous trees of substantial size and some with Preservation Orders. The submitted site plan proposes built-form within or in close tree 'Root Protection Areas'. An Arboricultural Impact Assessment with site-specific method statements for any proposed encroachment of tree 'Root Protection Areas' to the satisfaction of the HBC Arboricultural Officer is required.

- There is a lack of clarity in relation to the design intent of the existing trees, the proposed site plan drawing no 15048-RFT-00-ZZ-DR-A-0121-S1 illustrates the retention of the TPO trees on the western boundary whereas the landscape strategy drawing no. 2067-TF-00-00-SK-L-0001 02 illustrates the removal of these TPO trees, this ambiguity need to be clarified.

- Retention of the existing boundary treatment along the southern boundary (including the split-rail timber fencing) for consistency with the adjacent properties is desirable.

- Preservation of the open landscape character to the southern part of the site will help to mitigate long distance views from the harbour and reduce the impact on the adjacent coastal path.

We require the following drawing to be submitted

- A detailed soft landscape scheme requiring submission of fully annotated plans at sufficient scale to identify species of individually planted trees, shrubs, hedges, marginal, bulbs and any areas of turfing / seeding. Planting areas should show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs. Other information shall include plant tree pit details, specification schedules, comprising plant size, number and density, as well as, the proposed planting implementation programme.

- Hard landscape details requiring submission of fully annotated plans at sufficient scale that comprise a range of coloured and textured surfacing treatments, which identify:

- finished levels
- hard surfacing material type / product reference and colour
- laying bond
- edging or kerb detail / type
- retaining structures or steps

- Boundary details requiring submission of fully annotated plans at sufficient scale showing the locations of existing, retained and proposed new boundary treatments, with scaled elevation drawings to show height, design, materials, type and colour of

proposed new walling / fencing or other type of enclosure and associated gates.

Natural England Government Team

Nutrient Neutrality – No objection subject to mitigation

Solent Recreation Management Strategy – No objection subject to mitigation

Area of Outstanding Natural Beauty

The development lies within the setting of the Chichester Harbour AONB. You should therefore consider seeking advice of the AONB Team. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan.

Biodiversity Mitigation and Enhancement

In order for your authority to be assured that the proposal meets the requirements of Natural England's standing advice and the additional requirements for biodiversity enhancement and net gain as set out in National Planning Policy Framework paragraphs 8, 118, 170, 174 and 175d, Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by a Hampshire County Council (HCC) Ecologist.

HRA and AA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. We provide the following comments on the Appropriate Assessment. Providing these measures are appropriately secured with any planning permission, Natural England concurs with the assessment conclusions.

Open Space Society

No comments received

Planning Policy

Updated comments

Policy Status:

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan, provide the development plan for the borough. The Pre-submission Havant Borough Local Plan 2036 (HBLP 2036) was approved by the Council on 30 January 2019 and can be afforded limited weight.

In addition, the Emsworth Neighbourhood Plan (ENP) has reached an advanced stage of preparation, and was submitted to the Local Planning Authority in April 2019. It therefore also carries limited weight in decision making.

The following policies are of particular relevance:

- CS8 – Community Safety
- CS9 – Housing
- CS16 – High Quality Design
- CS17 – Concentration and Distribution of Development within the Urban Areas
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM8 – Coordination of Development
- DM10 – Pollution
- DM13 – Car and Cycle Parking in Residential Development
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements

In the Pre-submission Plan the following policies are of particular relevance:

- E1 | High quality design
- E2 | Health and wellbeing
- E3 | Landscape and settlement boundaries
- E11 | Sports and recreation
- H1 | High quality new homes
- H3 | Housing density
- E1 | High quality design
- IN1 | Effective provision of infrastructure
- IN3 | Transport and parking in new development
- E22 | Amenity and pollution
- H13 | Fowley Cottage

The following policies from the Emsworth Neighbourhood Plan are also of relevance:

- 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
- L1 – General Housing Policy
- L2 – Housing Mix
- WF1 – Public Enjoyment of the Waterfront

Principle of Development:

The site lies within the urban area as defined by Policies CS17 and AL2 of the adopted local plan and emerging E3 of the Pre-Submission Local Plan. Policy CS17 caveats that development will be acceptable within the five urban areas of the Borough where it makes the most effective use of land. The policy also prioritises previously developed land or underused land or buildings within the urban area. Therefore, development is supported in principle where it can be shown it will make the most effective use of land, subject to other relevant considerations. The acceptability of the principle of development therefore hinges on whether it makes an effective use of land.

The site is allocated for about 40 dwellings under Policy H13 in the emerging Local Plan which can be afforded limited weight at this stage. However, the application proposals seek to provide a significantly reduced quantum of development.

For the purposes of Policy H3 (Housing Density) which is considered in further detail below, residential density is taken as dwellings per hectare across the net developable area. Figure 1 of the Residential Density Evidence Paper indicates the development elements should be included for gross and net area calculations. In the case of the latter “any significant buffer areas required for landscape, ecological or infrastructure such as underground pipes” should be excluded. It is considered that retained trees and the necessary buffers and root protection zones would qualify within that definition.

For allocations in the Pre-Submission Plan, yields were calculated using the net developable area considering any high-level mappable constraints including access, ground conditions, flood risk and contamination. In this case, the Flood Zones 2 and 3 affecting the southern part of the site were taken into account, reducing the net developable area to approximately 1ha. The site yield would have calculated by applying 40dph across the entire site area accordingly (1ha x 40 dph = 40 dwellings).

Whilst the Pre-Submission Plan anticipates the delivery of 40 dwellings, it is acknowledged the site capacities of allocations are set at ‘about’ rather than minimums or maximums. This is because depending on the form of development proposed through a planning application, it could be that different numbers of homes are achieved subject to other relevant policies or material considerations in the Plan.

It should also be noted that the application site area differs from the allocation site in the Pre-Submission Local Plan. The existing house and tennis courts are excluded from the application red line, of which the submitted application form indicates the site has an area of 0.82 ha (when compared to the 1.1 ha site area identified by the allocation).

Housing Density: National Policy Context

The 2019 NPPF includes a specific section on ‘Achieving appropriate densities’ which contains guidance on how planning policies and decisions should support development that makes efficient use of land (paragraph 122).

Paragraph 123 of the 2019 NPPF is clear that planning policies and decisions avoid homes being built at low densities and seeks to ensure that developments make optimal use of the potential of each site, especially where there is an existing or anticipated shortage of land for meeting identified housing needs. In such cases, the use of minimum density standards should be considered and as a result are being taken forward through the Havant Borough Local Plan 2036.

In addition, part c) under paragraph 123 indicates that local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. It is noted this represents a step change from the 2012 NPPF which did not include a specific section on ‘Achieving appropriate densities’ (paragraphs 122-123).

The 2012 NPPF previously stated that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land) (added emphasis) (paragraph 111) as opposed to making ‘efficient’ or ‘optimal’ use of the land. Though it is noted that it did provide for local planning authorities to ‘set their own approach to housing density to reflect local circumstances’ (paragraph 47).

In this particular case, the application site relates to residential garden land which is excluded from the definition of 'previously developed land' in Annex 2 of the 2019 and 2012 NPPF respectively. It is noted the 2019 NPPF does not distinguish between previously developed land and undeveloped land in the context of achieving appropriate densities.

Local Policy Context

Policy CS9 of the Adopted Local Plan (Core Strategy) states that planning permission will be granted for housing proposals that will:

“achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shop and services in addition to respecting the surrounding landscape, character and built form.”

Paragraph 6.21 of the supporting text indicates that the density of new housing will depend on its design and appropriateness to its location. A range of minimum density thresholds were developed using the Havant Borough Townscape and Seascape Character Assessment and the levels of accessibility to a range of facilities:

High Density	- Minimum of 60 dwellings per hectare
Medium Density	- Minimum of 45 dwellings per hectare
Low Density	- Up to 45 dwellings per hectare

Paragraph 6.22 indicates that where the quality of design justifies it, much higher densities could be achievable. This is likely to be more appropriate in town centres or highly accessible locations. It also notes that seeking higher density in such locations will reduce the requirement for greenfield land release and ensure that more people have excellent access to jobs, public transport, shops and services.

Policy H3 in the emerging Local Plan indicates that residential development must maximise its contribution to addressing housing need in the context of the finite undeveloped land in the Borough. The policy also requires development to provide for a minimum of 40 dph outside of town and district centres and defined opportunity areas. This increases to 55dph within defined 'opportunity areas'. The Residential Density Evidence Paper defines opportunities for higher density residential development dependent on accessibility to services that would support future occupants. For Emsworth, this includes shops and services, train station and bus routes. Figure 23 of the plan confirms that the site is partly within the Emsworth opportunity area and partly outside it.

Policy D3 in the emerging Neighbourhood Plan also indicates 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.

It also confirms that residential development that does not demonstrably optimise the density of the site should be refused.

Site Specific Constraints

Paragraph 6.33 of the supporting text for emerging Policy H3 indicates that

site-specific constraints and local character may justify a different approach having regard to the site context. In such circumstances, a detailed Design and Access Statement must fully explain the rationale to the proposed approach to the design and layout of the scheme. In this respect, Section 5 of the submitted Design and Access Statement provides some detail and explanation of the constraints affecting the site, including the extent of flood plain; the existing TPOs on site; a foul sewer and a restrictive covenant (which would not be a material consideration) on Curlew Close which allows a maximum of 5 dwellings to the south of the existing house.

The applicant has subsequently submitted a Constraints Plan which provides a quantitative assessment of the likely developable area which takes into account the site's constraints including easement needed for the sewer, the TPOs and the root protection areas. In addition to the above, the applicant has also submitted an alternative scheme which would involve the subdivision of unit 4 which would only increase the number of dwellings on the site to 5 (the maximum which could be served by the covenant). It is noted that the applicant's architect has highlighted it is not possible to split unit 4 as it is constrained by TPOs. It is also understood that the applicant has not further explored the capacity of the southern part of the site at this time due to the covenant affecting Curlew Close or looked at any alternative design solutions for the site.

Initial comments

Policy Status:

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan, provide the development plan for the borough. The Pre-submission Havant Borough Local Plan 2036 (HBLP 2036) was approved by the Council on 30 January 2019 and can be afforded limited weight.

In addition, the Emsworth Neighbourhood (ENP) has reached an advanced stage of preparation, and was submitted to the Local Planning Authority in April 2019. It therefore also carries limited weight in decision making.

The following policies are of particular relevance:

- CS9 – Housing
- CS16 – High Quality Design
- CS17 – Concentration and Distribution of Development within the Urban Areas
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM10 – Pollution
- DM13 – Car and Cycle Parking in Residential Development
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements

In the Pre-submission Plan the following policies are of particular relevance:

- E1 | High quality design
- E2 | Health and wellbeing
- E3 | Landscape and settlement boundaries
- E11 | Sports and recreation
- H1 | High quality new homes
- H3 | Housing density
- E1 | High quality design
- IN1 | Effective provision of infrastructure
- IN3 | Transport and parking in new development

- E22 | Amenity and pollution
- H13 | Fowley Cottage

The following policies from the Emsworth Neighbourhood Plan are also of relevance:

- 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
- L1 – General Housing Policy
- L2 – Housing Mix
- WF1 – Public Enjoyment of the Waterfront

Principle of Development:

The site lies within the urban area as defined by Policies CS17 and AL2 of the adopted local plan and emerging E3 of the Pre-Submission Local Plan. Therefore, development is supported in principle, subject to other relevant considerations.

The site is allocated for about 40 dwellings under Policy H13 in the emerging Local Plan which can be afforded limited weight at this stage. However, the application proposals seek to provide a significantly reduced quantum of development and this is considered in further detail below.

Housing Density:

National Policy Context

Paragraph 123 of the NPPF is clear that planning policies and decisions avoid homes being built at low densities and seeks to ensure that developments make optimal use of the potential of each site, especially where there is an existing or anticipated shortage of land for meeting identified housing needs. In such cases, the use of minimum density standards should be considered.

In addition, local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework.

Local Policy Context

Policy H3 in the emerging Local Plan requires development to provide for a minimum of 40 dph outside of town and district centres and defined opportunity areas. This increases to 55dph within defined 'opportunity areas'. Figure 23 of the plan confirms that the site is partly within the Emsworth opportunity area and partly outside it.

Policy D3 in the emerging Neighbourhood Plan also indicates 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.

It also confirms that residential development that does not demonstrably optimise the density of the site should be refused.

The development proposals would retain the existing dwelling and tennis courts to

provide a gross site area of 0.82ha (when compared in 1.1ha identified in the Pre-Submission Draft Local Plan), which would provide a significantly lower density than envisaged by the emerging Local Plan (a mix of 40-55dph).

Paragraph 6.33 of the supporting text indicates that site-specific constraints and local character may justify a different approach having regard to the site context. In such circumstances, a detailed Design and Access Statement must fully explain the rationale to the proposed approach to the design and layout of the scheme. In this respect, Section 5 of the submitted Design and Access Statement provides some detail and explanation of the constraints affecting the site, including the extent of flood plan; the existing TPOs on site; a foul sewer and a restrictive covenant (which would not be a material consideration) on Curlew Close which allows a maximum of 6 dwellings to the south of the existing house. Further details of the latter are required to understand whether this would restrict the development potential of the southern extent of the site.

There has however, been a limited quantitative assessment has been made of the developable area available across the overall site. For the purposes of the policy, residential density is taken as dwellings per hectare across the developable area. The applicant may therefore wish to refer to Figure 1 of the Residential Density Evidence Paper which indicates the development elements which should be included for gross and net area calculations. No such calculation has been made of the net developable area available for development.

Whilst it is noted that the street scene character is predominantly large, detached dwellings, with the information available, the proposed development (five x 5 no. bedroom detached dwellings) would not make an efficient use of the available land. As such, it cannot be concluded that the proposed form of development would fully maximise the potential of the site to address housing needs and would be contrary to the aims and objectives of emerging Policy H3 and paragraph 123 of the NPPF.

Housing mix and affordable housing

It is considered, with the available evidence, that the site has the potential to accommodate more development than is proposed. Emerging policies on affordable housing (H2 of the HBLP and L1 of the ENP) and mix (H4 of the HBLP and L2 of the ENP) have a threshold of ten dwellings and so would not apply to the proposal as currently designed. However, the supporting text to Policy H2 (para 6.28) sets out that "Housing proposal will be expected to make efficient use of land in line with Policy E1 (High Quality Design). Any proposals that appears to have an artificially lower density in order to avoid the affordable housing requirement may be refused planning permission".

The Neighbourhood Plan also recognises that the neighbourhood plan area may wish to encourage the provision of more flats and terraced housing which would complement the large number of existing larger detached houses. In this respect, the provision of a proportion of smaller dwellings (1-2 bedrooms) is encouraged, for which there is evidenced demand.

Design

More generally, both the adopted and emerging local plan require high quality design in all development under policies

- CS16 High Quality Design (Core Strategy)

- E1 High Quality Design (HBLP 2036)

These considerations are reinforced through the Design Policies (D1 to D7 + design checklist) in the Emsworth Neighbourhood Plan.

Health and wellbeing

The Pre-Submission Local Plan (E2 and E11)) and the NPPF (paras 96-101) promote achieving health gains through planning decisions. Both (E11 and para 97) set out a presumption against the loss of sports provision. Whilst a private and not public facility, ensuring that it would not be lost through development is considered appropriate in that it would serve to boost healthy living for the proposed occupants. However, there is an opportunity to allow public use of the facility. The removal of the tennis courts from the available site area for housing development is supported, subject to the public availability of this facility.

The site also includes common parts, including vehicular and pedestrian access to the southern properties from Curlew Close. At the south of the site there is an access to Chichester Harbour and Footpath 56 (Wayfarers Way), which runs along the coast from Emsworth to Langstone. However, this is private access for use by residents only. Policy E2 of the Pre-Submission Local Plan highlights the need to enhance existing and facilitate new opportunities for active travel (walking and cycling) ...by...creating and improving pedestrian and cycle routes linkages within the Borough and to surrounding areas, particularly...along the coast. The need for a safe and convenient access to Footpath 56 is also highlighted in the allocation for the site (H13).

The emerging Neighbourhood Plan refers to access to the waterfront and recognises the health and leisure benefits that residents can gain from the coastal path. Emerging Policy WF1 is clear that any new development on any waterfront site shall provide public right of access to the waterfront. It is also indicates that applications should include an appraisal of options for the provision of public spaces and leisure facilities, and must clearly explain how the proposals have taken account of this appraisal.

Development Requirements:

The full set of developer considerations can be found in the emerging allocation policy;

please see Policy H13 in the Pre-Submission Draft Local Plan. The applicant should ensure these are satisfactorily addressed through assessments of these site issues as part of any planning application.

In addition to the above, emerging policies which are of particular relevance to the proposed development are summarised below:

- Internal Space Standards - Emerging Policy H1 includes a requirement for dwellings to meet the nationally described internal space standards.
- Private Amenity Space – Policy H1 also requires sufficient private and/or communal outdoor amenity space to be provided.
- Low Carbon Design – Residential development is expected to achieve a 19% reduction in Dwelling Emission Rate in accordance with emerging Policy E12.
- EV Charging Infrastructure – Electric Vehicle charging infrastructure should be provided for each new residential unit with private off-street parking in line with emerging IN3.
- Management Plans – A management plan is likely to be required through a legal agreement to establish the whole life management and maintenance of the common parts within the development.

Parking:

The proposals would need to ensure that appropriate parking provision is provided in accordance with Policy DM13, emerging policy IN3 and the Council's Parking SPD.

Summary:

Emerging policy H3 must be afforded some weight particularly given the clear direction in national policy to optimise the use of land.

The development proposals would provide for a significantly lower density than set out by emerging policies H3 and H13. As such the development proposals would not be capable of support in their current form. Further information is needed to understand the net site area calculation. Nevertheless, the proposed form of development would artificially lower the density of the site, and thereby circumvent the requirements for housing mix and affordable housing.

On this basis, the current development form would fail to make an efficient use of land, though site-specific constraints and local character may justify a different approach.

Public Spaces

No comments received

Ramblers Association

There is no objection to the proposed development from the Ramblers Association. This is provided that the development as shown remains set back from the coastal footpath and that the planting of shrubs shown on the Landscape Strategy drawing is implemented and the existing hedgerows to the western and eastern boundaries are maintained.

Royal Society for the Protection of Birds

No comments received

Southern Gas Networks - stage 1

On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our

apparatus throughout the duration of your operations.

Officer comment - Access appears to cross a low pressure main - agent advised

Traffic Management Team

The Traffic Team would raise the concern that there appears insufficient car park space available. We would like to see a minimum of 3 spaces per property + additional space for visitors as per HBC Parking Supplementary Planning Document July 2016. This also appears to be no mention of the requirement for secure cycle storage.

Waste Services Manager

No comments received

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 20

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 17

Comments and officer response (latter in bold)
We are very happy with the positioning of the houses, from a purely personal view.
Noted
Intrusive impact due to forward siting in both the Warblinton Road frontage and shore frontage, excessive bulk, footprint and height, elevated floor levels and out of character design, would be out of character and overpowering, detrimental to the character to the area and the coastal setting, and contrary to the Borough Design Guide. Plots should be individually designed to reflect local character. See section 7
There is a history of flooding in Emsworth, and flooding and drainage matters have not been fully assessed. The land currently provides drainage to prevent flooding elsewhere and should not be developed. At present Fowley Cottage gives the area an ability to cope with more of this type of water which this development will affect to the potential detriment of the adjoining properties. The plans do not show how all this excess water will be successfully dealt with. See section 7
We agree with the Traffic Team with regard to insufficient car park spaces and secure cycle storage. It would also certainly be advantageous for there to be secure storage facilities for garden equipment/motorised buggies etc.concerned that residents as well as visitors will park along Warblington road. With the location of junctions at Warblington road/Clovelly Road and Warblington Road/Curlew Close and the proposed new exit driveway for plot 5/Fowley Cottage, along with 4 other driveways between the stated junctions, this would be potentially dangerous. There is already a parking problem west of Curlew Close with people parking to walk the foreshore. The proposal can only result in further congestion and obstruction. See section 7
We are concerned about possible damage to TPO tree roots and note that the Street

Elevations diagram does not appear to show the two Monterey pines. See section 7
Loss of green space adjacent AONB coastal path would be detrimental to amenities. The open space should be kept for future generations to enjoy and prevent intensive urbanisation which would spoil the character of Emsworth which is at present a small seaside town. The development retains an open area adjacent the coastal path.
No boats could be stored on this site to respect the visual amenities of the harbour. This would be inappropriate
Use of car ports instead of garages introduces security issue and they are likely to be filled with unsightly clutter. See section 7
Loss of habitat for butterflies See section 7
The existing boundary hedge should be retained to enhance the development. See section 7
I feel I must object to this proposal as it is a huge contradiction to the public consultation meeting and the plans shown originally for a less bulky development. Noted
Trees and Loss of Light - Our home in Beacon Square is already grossly overshadowed by dense trees in the Fowley plot to the west. If the proposed house at plot no 1 is built, the loss of light would be intolerable. The new house would effectively block the sky to the south of the trees and we would sit in shadow for much of the day. Additionally, we would suffer significant loss of amenity and house value. This unacceptable loss of light is the most significant consequence of the proposal and must be addressed. See section 7
The Transport Document within the application is inaccurate and does not recognise the deficiencies in the local highway network. There is concern about the extent of traffic on the A259 in terms of highway safety for cars and pedestrians. See section 7 I accept that Government has decreed that we need to provide more houses, and Havant Planning have duly allocated this Emsworth site as a suitable contribution. However, does Emsworth need yet more, large, very expensive, probable second home houses built on this last remaining waterfront site? Would we not better appreciate the provision of smaller individual apartments for, say, fit, elderly local citizens to enjoy the beautiful harbour views and activities? The present proposed layout is acceptably spacious, but would be of much more use to local people if each house was subdivided resulting in a useful older citizen community. That would indeed be a legacy. See section 7
Application should be considered by Committee and not delegated. The application falls under delegated powers.
Overlooking from plot 6 from full length glazing See section 7
loss of trees and vegetation See section 7

7 Planning Considerations

The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (hereafter referred to as the Habitats Regulations).

The Council's assessment as Competent Authority under the Habitats Regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several European Sites due to recreational pressure, water quality, loss/degradation of supporting habitats and construction impacts. The planning application was then subject to Appropriate Assessment under Regulation 63. This included a package of avoidance and mitigation measures. The first element of this is a financial contribution based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Council's agreed Position Statement on Nutrient Neutral Development. The third is measures to control the impact on the environment during construction of the development.

Recreational Pressure

The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations), Policy E16 of the Draft Havant Borough Local Plan 2036 and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures. The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has confirmed that they would be willing to enter into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24. However, in the absence of such an agreement the development is likely to have a significant effect and therefore falls to be refused on this ground.

Water Quality

The Partnership for Urban South Hampshire (PUSH) Integrated Water Management Study has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. NE have highlighted that there are high levels of nitrogen input into the water environment at these sites, with evidence that these nutrients are causing eutrophication and that there is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether upgrades to existing waste water treatment works will be sufficient to accommodate the quantity of new housing proposed. To secure nutrient neutrality the applicant has indicated a willingness to enter into a condition to secure appropriate mitigation.

Construction Impacts

There is potential for construction noise and activity to cause disturbance of SPA qualifying bird species. Control measures could be covered by a Construction Environment Management Plan (CEMP), to include measures controlling matters such as minimising idling by machinery, locating construction compounds in less noise sensitive areas of the site and maintaining machinery to further reduce these noise levels. Subject to the imposition of a condition securing these controls, it is considered that the significant effect due to noise, disturbance and construction related pollutants which would have been likely, could be suitably avoided and mitigated, and subject to a condition it may be possible to conclude that as such, no likelihood of a significant effect remains on this issue.

Appropriate Assessment conclusion

The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites which would otherwise have been likely to occur. The HRA format has been agreed with Natural England as the appropriate nature conservation body under Regulation 63(3). Provided all mitigation measures are adequately secured with any permission the proposal accords with the advice from Natural England. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation package, however on basis of a refusal, these factors must be included.

In other respects, and having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Nature of Development
- (iii) Impact on the Character and Appearance of the area
- (iv) Residential and Neighbouring Amenity
- (v) Access and Highway Implications
- (vi) Flooding and Drainage
- (vii) The Effect of Development on Ecology
- (viii) Impact on Trees
- (ix) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

(i) Principle of development

As required by section 38(6) of the Planning and Compulsory Purchase Act (2004), applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan

The Development Plan consists of:

Havant Borough Local Plan (Core Strategy) (2011), the Havant Borough Local Plan (Allocations Plan) (2014), both of which cover the period until 2026. The development plan also includes the Hampshire Minerals and Waste Plan (2013). These plans continue to form the basis for determining planning applications in the Borough. The application site is located within the urban area. Policies in the adopted plans support appropriate residential development within the urban areas.

Pre-submission Havant Borough Local Plan 2036

The Council published the Pre-Submission Havant Borough Local Plan 2036 for public consultation between 1 February 2019 and 18 March 2019. The publication of this document followed a long period of public engagement between 2016-2018, including the now revoked Local Plan Housing Statement. The application site is identified for residential development under Policy H13, capable of accommodating up to 40 residential dwellings. As such the application site is identified as one of those necessary to deliver the identified housing need for the Borough.

Policy H3 – Housing density now requires that development within the Borough provides minimum housing densities, depending on their location. This is to ensure that development maximises the finite amount of land in a full and sustainable

manner. The proposal delivers only 14.4 dwellings per hectare based on the developable area. This is very low, even given the context in respect to the character of the area and the amount of development it is considered excessively low and it does not accords with the figure in the draft allocation.

Policy H4 - Housing mix outlines that development will be expected to provide a range of dwelling types to meet identified local housing need; and incorporate approximately 35% as two-bedroom homes as part of the overall housing mix. This proposal provides 4/5 bedroom dwellings, contrary to this policy. As such this proposal does not complies with this emerging policy.

Consistency with the National Planning Policy Framework.

The Secretary of State's National Planning Policy Framework (February 2019) is a material consideration which should be placed in the s.38(6) planning balance. The NPPF's primary objective is to promote sustainable growth and development through a "plan-led" planning system.

In response to the NPPF a robust assessment has taken place of land in the Borough to inform the Pre-Submission Havant Borough Local Plan 2036 through the Strategic Housing Land Availability Assessment and the Sustainability Appraisal. This has shown that based on the proposed housing allocations there are sufficient deliverable and developable sites upon which to meet the Borough's housing need.

Five year housing land supply and delivery of housing need

The Government has an objective of significantly boosting the supply of housing. Under paragraph 73 of the NPPF, Havant Borough is required to have a rolling five year supply of deliverable housing sites. The site is required to feed into the on-going requirement of the Borough for deliverable housing land to address the Borough's housing need.

In conclusion on this issue,

- (1) The site is within the urban area and its development accords with the adopted local plan
- (2) The pre-submission Local Plan identifies the site as a housing allocation for up to 40 dwellings to meet the 5 year housing land supply
- (3) National policy is a material consideration

(ii) Nature of Development

The current application is for full planning permission for 7 dwellings with vehicular access off Warblington Road and Curlew Close. In respect of the proposal the following factors have been considered:

The density of residential development
The mix of dwelling sizes and tenures
The design and layout of the residential development

The density of residential development

The application seeks 7 No. dwellings which based on the site area provides a density of 8.5 dwellings per hectare (dph) gross. It should be noted in this regard that the applicants have clarified that, when considering the net developable area of the site (allowing for constraining features such as a sewer easement and retained trees etc), the density rises to 14.4dph net.

Core Strategy policy CS9 states that planning permission will be granted for housing proposals which (amongst other matters) *'Achieve a suitable density of development for the location, taking account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form'*.

Supporting text of the Core Strategy paragraph 6.21 provides further guidance stating that:

The density of new housing will depend on its design and appropriateness to its location. As guide the following minimum density thresholds have been developed using the Havant Borough Townscape, Landscape and Seascape Character Assessment and the levels of accessibility to a range of facilities:

*High Density – Minimum of 60 dwellings per hectare
Medium Density – Minimum of 45 dwellings per hectare
Low Density – Up to 45 dwellings per hectare*

Under this assessment, the density of development can be considered to be within the Low Density category.

Paragraph 6.23 makes it clear that *'It is not intended that density requirements should be too prescriptive as it is often a difficult balance between maximising the use of land and reflecting surrounding built character and the amenity of neighbouring residents. This is therefore best assessed through individual planning proposals through the development management process'*.

The NPPF states that *'To boost significantly the supply of housing, local planning authorities should, (amongst other matters) set out their own approach to housing density'*. Whilst there are a number of site constraints, the Council maintain the low density, and overly large size of the proposed dwellings, in terms of delivering housing does not make the best use of the site.

On that basis, officers consider that in the particular circumstances that prevail at this time, if the applicant's scheme is granted planning permission, it would not constitute sustainable development as it would not make efficient use of land. The justification for this conclusion is set out in more detail in the paragraphs that follow.

The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Chapter 11 Making Effective Use of Land, para. 117 is relevant and identifies the need for decisions to promote an effective use of land. This is supported by para. 122 on Achieving appropriate densities, which requires planning policies and decisions to support development that makes efficient use of land. Additionally para 123 states that;

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet

as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

The adopted Local Plan is now out of date and under the Pre-Submission Havant Borough Local Plan 2036 the application site is identified for residential development under Policy H13, capable of accommodating up to 40 residential dwellings. As such the application site is identified as one of those necessary to deliver the identified housing need for the Borough. The site is required to feed into the on-going requirement of the Borough for deliverable housing land to address the Borough's housing need. Whilst at the current time the emerging plan has limited weight, it has nevertheless been drafted in response to the NPPF requirement in respect to making efficient use of land with a focus on making use of land more effectively. Additionally meeting the Borough's housing needs is dependent on the proposed housing allocations being delivered. The Council recognises the need to respond to the character of the area and that it will not always be possible to achieve the numbers set out in the proposed housing allocations; plus in this case the allocation is for up to 40 dwellings on the whole site including the existing dwelling and tennis court which do not form part of the application site. However, going forward it is important that what is a scarce resource is effectively used. At a density of only 8.5 dph (gross)/ 14.4 dph (net) the proposal falls a long way short of achieving an efficient use of land.

The Mix of Dwelling Sizes and Tenures

With regard to the type and size of proposed accommodation and its potential to create a mixed and integrated community, regard is to be had to Core Strategy policy CS9 which states that development should 'Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities.' Paragraph 6.24 states that a mix of dwelling types is sought from terraces, semi-detached and larger detached houses. In this case, the proposal comprises a small number of very large dwellings contrary to this requirement. Additionally by limiting the number of dwellings to 7, it falls outside the scope of affordable housing, whereas a more appropriate density might afford an opportunity to help deliver affordable housing.

The Design and Layout of the Development

The urban design qualities of the scheme, whilst contemporary in form, pay regard to the character of the site retaining the majority of trees and providing a spacious layout, which respects the storey heights and form of the neighbouring properties. The proposed dwellings due to their size and elevated nature would be bulkier than the

existing dwellings, but the site is of adequate size, and the proposed properties set back from the boundaries is considered adequate to maintain visual amenities. The direct impact on residential amenity is considered in (iv) below.

In conclusion on this matter, the Pre-Submission Havant Borough Local Plan 2036 has not yet been submitted for examination to the Secretary of State. As such in accordance with paragraph 48 of the NPPF, and having regard to the level of objection received during the pre-submission consultation, it is accepted that only limited weight can be attributed to the policies within it. Notwithstanding this, a number of relevant emerging policies have not been met in respect of density and mix. Crucially, those policies reflect the need to secure an effective use of available land for housing, which directly reflects the NPPF's exhortations. The failure of the application proposals to take that opportunity is considered a fundamental issue which renders the scheme incapable of support.

(iii) Impact on the Character and Appearance of the area

The proposed site itself is outside of the Chichester Harbour AONB and separated from the Harbour's ecological designations by a public footpath along the shoreline.

The site lies within Landscape Character Area 25 (LCA 25) Emsworth- western suburbs. The area contains one landscape character type: Urban Lower Harbour Plain and displays the following land form characteristics:-

a The landform forms a flat coastal plain, sloping from the north from around 10m AOD to below 5mAOD at the harbour edge, developing into a more gentle undulating landform to the north

b River terrace deposits cover an underlying geology of London Clay to the north followed by the Lambeth Group, then the chalk formation including Lewes Nodular Chalk Formation, Seaford Chalk Formation, Newhaven Chalk Formation, Culver Formation and Portsdown Chalk Formation; this has produced a soil described as loamy with a naturally high water content

c No evidence of surface drainage

d Mature street trees along main arteries

e Mixed hedgerow boundary treatment around older properties

f The periphery of the residential area to the north is dominated by pony paddocks, playing fields, allotments and rear garden boundary treatment

g The largest internal open space is covered by allotments, which provides a spread of contrasting colour and texture

h Long stretches of adjacent gardens provide swathes of greenery throughout this built environment, although not particularly visible from the roadside

i Open areas of grassland forming verges and larger areas of grassland around 60's/70's residential development.

Being part of a flat coastal plain the site is clearly visible from the water and the

coastal footpath itself and forms part of the setting of the AONB and LCA 25 . This flatness makes the AONB and its landscape setting particularly vulnerable to visual intrusion from inappropriate development, which can often be seen from significant distances across inlets, the main harbour channels, or open countryside. However, in this case the development would be set back from the harbour, retains most of the TPO trees, utilises a design which at first floor presents a relatively narrow aspect to the harbour with recessed glazing and subdued materials (slate, timber and brickwork), and would be viewed in the context of the existing two storey development, which lies on rising ground levels to the north. In terms of the raised floor levels of the proposed dwellings, these relate to plots on the southern part of the site where the ground slopes down to the harbour, and the proposed floor levels for these plots would be consistent with the floor levels of the plots proposed to the rear, against which they would be viewed. As such the impact on the wider character area would be limited and it is concluded that there are no significant implications for the setting of the AONB. It is noted that Chichester Harbour Conservancy have not raised objection to the application.

With respect to the impact on the character of the immediate adjacent residential area, the layout is for dwellings of a large floor space and substantial built form. The proposed design is contemporary in contrast to the more traditional character of the nearby properties, although a number of these established properties have been updated to provide a more contemporary appearance. In this context and having regard to the proposed materials which would comprise slate, timber, mellow finished brickwork and the spacious form of the layout the impact of the development on the character and appearance of the area is not adverse.

(iv) Residential and Neighbouring Amenity

The site adjoins dwellings in Warblington Road, Beacon Square and Curlew Close. The development has been designed with main windows facing into the site or also onto Warblington Road in the case of plot 7, and obscure glazing for first floor windows where first floor windows face the site boundaries with neighbouring properties. This retains privacy and complies with the separation distances set out in the Borough Design Guide. Whilst there will be an impact on views, especially in respect to properties in Beacon Square which have rear elevations facing onto the site, the separation distance at a minimum of 21m exceeds the requirements of the Borough Design Guide. In respect to 22a Beacon Sq. which currently enjoys sea views across the site, the proposed development on plot 1, especially given the elevated floor level, will obstruct these views but regard cannot be had to loss of a view. The planning consideration is whether the development would be overly dominant. Given that the closest proposed 2 storey dwelling would be over 30m from the windows serving 22a Beacon Square, the proposed development is not considered over dominant. The submitted plans have had regard to the existing properties and the layout designed to respect privacy and outlook.

The proposed development would introduce additional traffic to the surrounding roads, but the site is within an urban area where the impacts of traffic, noise and pollution from new development are inevitable and refusal based on the impacts of the additional traffic could only be supported if it resulted in highway safety issues. In this case the Highway Authority have no objection subject to the recommended conditions.

(v) Access and Highway Implications

Fowley Cottage would continue to be accessed from Warblington Road, together with plot 7 and access for the other 6 dwellings would be off Curlew Close. The access has been assessed by the Highways Officer and no objection has been raised. In respect to parking, all dwellings would be provided with on site parking in accordance with the adopted parking standards. There is no separate provision for visitor parking, however 4 of the dwellings have 2 covered parking spaces plus drives with 2 spaces, and therefore provide an additional space above the parking standard which could be used for visitors to the property. Given the small number (3) of the proposed properties without the opportunity for on plot visitor parking, and the localised impact this would have, the lack of dedicated visitor parking spaces is considered acceptable.

(vi) Flooding and Drainage

Environment Agency has objected as the submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the Planning Practice Guidance.

The EA advise that the FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- take the impacts of climate change into account adequately. Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make the development resilient to the flood levels for 2115 of 4.5mAOD as stated in paragraph 1.14 of FLOOD_RISK_ASSESSMENT-1180237 (FRA) submitted with the application. Consequently the development proposes inadequate raised finished floor levels. Paragraph 1.16 of the FRA states “In this regard, floor levels of the southernmost properties could be designed to be above the 2115 estimated flood level of 4.5m AOD”, but it does not specify what they will actually be. The drawing in Appendix 6 titled “Foul and Surface Water Drainage Strategy” shows the 2 southern most properties as having finished floor levels (FFL) of 4.2mAOD and 4.1mAOD which are both below the expected 2115 flood level of 4.5mAOD.
- consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event
- provide safe access and egress routes
- consider how a range of flooding events (including extreme events) will affect people and property
- provide resistance and resilience measures

Additionally Southern Water requests that this application is not determined until such time as the applicant produces a suitable development and drainage layout maintaining the below standoff distance requirement of public surface water sewer. In this regard it is noted that the site layout plan makes reference to the foul sewer crossing the site, and Southern Water have requested the use of pre-commencement conditions.

Notwithstanding Southern Water's position, it is clear that on the basis of the information submitted the impacts in respect to flooding and drainage have not been addressed, and refusal on this ground is recommended.

(vii) The Effect of Development on Ecology

The Council's Ecologist has advised that the submitted Phase 1 Ecological Survey (EcoSupport, May 2019) is in draft format: we would expect a finalised document for planning purposes. In addition, additional ecological surveys have been recommended for wintering birds and roosting bats. The results of these surveys should be used to develop avoidance and mitigation measures. Again, these should be provided prior to determination. Given the close proximity of the application site to highly sensitive designated nature conservation sites, fully-detailed mitigation measures will be required, as will a Habitats Regulations Assessment.

The NPPF, Circular 06/2005 and Natural England Standing Advice on Protected Species, require that planning decisions are based on full, up-to-date ecological information and all necessary survey, assessment and mitigation information is required to assess these matters prior to determination, particularly in the case of protected species, which are a material planning consideration. In the absence of the additional survey work required it is not possible to assess whether appropriate mitigation has been provided and the application falls to be refused on these grounds.

(viii) Impact on Trees

The site supports a number of mature trees, including those covered by a Tree Preservation Order. The proposal has been designed to retain the important trees and only those of a low grade are to be removed. HBC Arboriculturalist has assessed the proposal and confirmed that whilst the Willow (T18) which is shown for removal is currently protected by a Tree Preservation Order, subject to suitable replacement there is no objection to the trees shown for removal. The work should be carried out in strict accordance with the Arboricultural Method Statement and Tree Protection Plan, and a condition in respect to underground services is required.

(ix) Conclusion _

The site lies within the built up area and in a location where residential development is acceptable in principle; however, the proposed development at a density of 8.5dph (gross) and 14.4dph (net) would not make effective use of land and as such would be contrary to the NPPF and the emerging local plan. Additionally, matters such as flood risk and ecology have not been acceptably addressed, and refusal is recommended.

8 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/19/00623 for the following reasons:

- 1 In the absence of a suitable agreement to secure appropriate mitigation measures, the development would be likely to have a significant effect on the Solent Special Protection Areas and so is contrary to Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the Conservation of Habitats and Species Regulations 2017.
- 2 At a density of only 8.5 dwellings to the hectare (gross) / 14.4 dwellings to the hectare (net) the application fails to make efficient use of land and is therefore contrary to the requirements of the National Planning Policy Framework and Policies H3 and H13 of the Pre-Submission Havant Borough Local Plan 2036.

- 3 The submitted Flood Risk Assessment (FRA) does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the Planning Practice Guidance. The FRA does not therefore adequately assess the flood risks posed by the development and as such the proposal is contrary to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 The submitted information does not accord with the requirements of the NPPF, Circular 06/2005 and Natural England Standing Advice on Protected Species, in that full, up-to-date ecological information including all necessary survey, assessment and mitigation information has not been provided and therefore it has not been possible to conclude on the basis of full knowledge about the ecological impacts of the proposal that any impacts can and will be appropriately mitigated. As such the proposal is contrary to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Five Year Housing Land Supply Update

December 2019



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1. Housing Requirement

The Standard Method

- 1.1 The National Planning Policy Framework (NPPF) states that *“Local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic strategies, or against their local housing need where the strategic policies are more than five years old.”* The latter should be calculated using the standard method set out in the Planning Practice Guidance.
- 1.2 The Core Strategy (Local Plan) was adopted more than 5 years ago (March 2011), and the emerging Local Plan has not yet been subject to examination. The standard method should therefore be used to calculate the housing requirement.
- 1.3 The Planning Practice Guidance sets out how the standard method is used to calculate an annual local housing need figure¹. Step 1 indicates that the baseline should be set using the 2014-based household projections to calculate the projected average annual household growth over a 10-year period. The method provides an annual number which can be applied to the whole plan period.
- 1.4 The methodology also confirms that the current year should be used as the starting point to calculate growth over that period. This differs from the need figure included in the Pre-Submission Local Plan.
- 1.5 The baseline is then adjusted to take account of the local housing affordability data which compares the median average of house price of properties sold in the Borough over the year ending in September to the median average income of people working in the Borough according to earnings sample saving sample survey data.
- 1.6 A cap may be applied where there is a 40% increase over the projected household growth or the housing requirement set out by the Core Strategy whichever the higher. In this case, the projected household growth is the greater of the two figures. However, when 40% is applied to the projected household growth, this figure is greater than the minimum annual housing need figure. As such no cap is applicable.
- 1.7 In summary, the minimum annual housing need figure is calculated as follows:

¹ [Paragraph: 004 Reference ID: 2a-004-20190220 Revision date: 20.02.2019](#)

Minimum annual housing need figure for Havant Borough

Stage 1: Setting the baseline

Average household growth in Havant Borough between 2019-2029 57,550 households in 2029 <u>53,923 households in 2019</u> 3,627 households growth 2019 - 2029 / 10-year period = 362.7	362.7
--	-------

Step 2: An adjustment to account for affordability

2018 median workplace-based affordability ratio for Havant Borough	9.43
--	------

Adjustment factor ² $\left(\frac{\text{Local affordability ratio} - 4}{4} \right) \times 0.25 + 1$ 9.43 (local affordability ratio) – 4 = 5.43 5.43 / 4 = 1.3575 1.375 x 0.25 = 0.339375 0.339375 + 1 = 1.339375	1.339375
---	----------

The minimum annual local housing need figure for Havant Borough (adjustment factor) x projected household growth 1.339375 x 362.7 = 485.79 The resulting figure is 486 (rounded).	486
--	-----

Step 3: Capping the level of any increase

The Local Plan (Core Strategy) was adopted in March 2011 and was therefore adopted more than 5 years ago. A cap may therefore be applied whichever is the higher of:

- 315 dwellings per annum set out by Policy CS9 of the Core Strategy
- 362.7 based on average annual household growth 2019-2029 (as per step 1)

The cap is set at 40% above the higher of the most recent average annual housing requirement figure, or average household growth. In this case, the household growth is the greatest figure:

$$\text{Cap} = 362.7 + (40\% \times 362.7) = 362.7$$

$$362.7 + 185.08 (40\%) = 647.78$$

The capped figure (647.78) is greater than the minimum annual local housing need figure (486). Therefore, no cap is applicable. The annual need for housing for Havant Borough is therefore **486** dwellings per annum.

² As the 2018 affordability ratio for Havant Borough has a value greater than 4, an adjustment factor should be applied: No adjustment is applied where the ratio is 4 or below (as set out in Step 2 of the standard method).

Addressing any shortfall

- 1.8 The Planning Practice Guidance indicates that any shortfall should also be included in the requirement for the first five years³. This results in a five year supply requirement over and above the local housing need figure.
- 1.9 The 2018 NPPF introduced the Government's standard method for calculating local housing need. Prior to this, the most up-to-date evidence was the PUSH [Strategic Housing Market Assessment](#) and [Objectively Assessed Need Update](#) which indicated a housing need for Havant of 450 homes per year.
- 1.10 For the purposes of assessing five year supply, it is of relevance to assess housing delivery during the 2016/17-2018/19 period against the housing requirement.

Year	Net completions 2016/17-2018/19	Requirement 2016/17-2018/19	Source	Shortfall/Surplus (cumulative)
2016/17	649	450	PUSH SHMA	+199
2017/18	290	450	PUSH SHMA	-160 (+39)
2018/19	267	479	Standard method	-212 (-173)
Total	1,206	1,379		-173

- 1.11 The table above shows that a shortfall of 173 homes should be added to the five year housing land supply requirement.

Identifying the appropriate buffer

- 1.12 The NPPF also requires an appropriate buffer (moved forward from later in the plan period) to be added to the supply of specific deliverable sites. The minimum buffer is 5% but this increases to a buffer of 20% where there has been significant under delivery of housing over the previous three years to improve the prospect of achieving the planned supply. The latter is measured against the Housing Delivery Test (HDT) where this indicates that delivery was below 85% of the housing requirement.
- 1.13 A 10% buffer should be added to the housing requirement where the local planning authority wishes to confirm a 5 year housing land supply through the examination of plan policies. This is to account for potential fluctuations in the market over the year to ensure the 5 year land supply is sufficiently flexible and robust.
- 1.14 The 2018 HDT results were published in February 2019 and indicated that a measurement of 147% for Havant Borough. The 2019 HDT results are now expected to be published after the General Election, but it is anticipated that a measurement of 100.84% will be confirmed for Havant Borough.

³ [Paragraph: 022 Reference ID: 68-022-20190722](#)

Number of homes required			Number of homes delivered			2019 Housing Delivery Test measurement (%)
2016-17	2017-18	2018-19	2016-17	2017-18	2018-19	
360	357	479	649	290	267	
1,196			1,206			100.84%

- 1.15 As housing delivery has not fallen below 85% in the previous three years, it is appropriate to apply a buffer of 5% for the purposes of calculating five year supply.
- 1.16 Where delivery falls below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national guidance. The 2019 HDT measurement is unlikely to indicate that a housing action plan should be prepared. Nevertheless, Council's Housing Implementation Strategy within the Strategic Land Availability Assessment (2019) provides details of risk associated with housing delivery projections. As well as the measures the Council has and could take to mitigate any shortfalls that would result from identified risks to supply.

Five Year Housing Requirement

- 1.17 Based on a minimum annual housing need requirement of 486 dwellings, there is a five year housing requirement of 2,430 dwellings. Including any shortfall, this increases to 2,603. The five-year supply requirement with the relevant buffer added is therefore 2,733 dwellings with a 5% buffer added.

2. Five Year Supply

Assessing deliverable sites

- 2.1 The Planning Practice Guidance sets out what evidence is required to demonstrate that sites are deliverable. This has been followed in assessing whether sites should be included in the Council's five year supply of housing which is set out at Appendix 2.
- 2.2 For sites with detailed planning permission that have already commenced - numbers of dwellings are included within the 5-year supply for remaining dwellings to be completed as of 31 March 2019. Annual site visits are conducted to confirm the progress of sites under construction, and the trajectory has been updated accordingly. Trajectory and five-year supply figures are also updated based on communication with land owners and developers throughout the year.
- 2.3 Where there is clear pre-application work and intention to bring the site forward within five years, these sites are included.
- 2.4 For any larger sites, delivery is split across several years to reflect how sites are incrementally brought forward. This often means that delivery is expected to commence within the five-year supply period and continue beyond it.
- 2.5 Small site permissions of less than 5 dwellings are included within the five-year supply based on expected delivery, and are discounted by 5% to allow for non-implementation. Windfall is excluded from five-year supply calculations to avoid double counting, but is included in the trajectory from the plan period from the year 2024/25 onwards.

Specialist housing for older people

- 2.6 Planning Practice Guidance for specialist housing for older people was updated on 26 June 2019 and indicates that plan-making authorities may count provision for older people in Class C2 against their housing requirement⁴. To establish the amount of accommodation released in the housing market, the guidance indicates that authorities should base calculations on the average number of adults living in households using the published Census data.
- 2.7 Appendix 1 confirms that there is an average of 1.83 adults living in households in Havant. A ratio of 1.83 has therefore been applied to Class C2 accommodation. This includes 81 dwellings in the supply.

⁴ Guidance - Housing for older and disabled people Paragraph: 016a Reference ID: 63-016a-20190626

Five Year Supply Position

- 2.8 Whilst the current year 2019/20 is already well underway, the completions figure for this monitoring year is not yet known. As such, it is logical to assess the five year period 2019/20 to 2024/25 for the purposes of calculating five year supply.

Five Year Supply Calculation for period 2019/20-2024/25 (Sedgefield Method)		
Calculating the required supply		Dwellings
a	Requirement 2016/17 - 2018/19	1,379
b	Completions 2016/17 - 2018/19	1,206
c	Shortfall	173
d	Five year requirement 2019/20-2024/25	2,430
e	Five year requirement plus shortfall	2,603
f	Five year requirement with 5% buffer	2,733
Identified Supply		
g	Supply over 5 year period 2019/20-2024/25	2,936
Five year land supply (expressed in years):		
Excluding buffer		$g / (e / 5)$ 5.6
With 5% buffer		$g / (f / 5)$ 5.4

- 2.9 Based on the table above, the Council is able to demonstrate 5.4 years supply of housing taking into account accumulated shortfall since 2016/17 and the application of a 5% buffer.

Appendix 1: Supply from older person's housing

Average Number of Adults per Household in Havant Borough

Using 2011 Census data, the following table details the average number of adults per household in the Havant local authority area, as well as providing a breakdown of the number of adults per household.

Average number of adults per household in Havant Borough	
Total Households	51,309
Havant Average Number of Adults per Household	1.83
Most Common Number of Adults per Household in Havant	2
Number of Adults per Household	Number of Households
1 adult in household	18,035
2 adults in household	26,284
3 adults in household	5,083
4 adults in household	1,519
5 adults in household	292
6 adults in household	81
7 adults in household	9
8 adults in household	5
9 adults in household	0
10 adults in household	0
11 adults in household	1
12 adults in household	0
13 adults in household	0
14 adults in household	0
15 or more adults in household	0

Older people's housing which can be included housing land supply

The following table sets out residential institutions in Use Class C2 which are included in five year housing land supply.

Application reference		Site Name	Number of beds
Permission APP/15/00303		Former Oak Park School	80
Resolution APP/18/00450		Forty Acres	66
a	Total		146
b	Average number of adults per household		1.8
c	Contribution from older people's housing to five year supply (a/b)		81

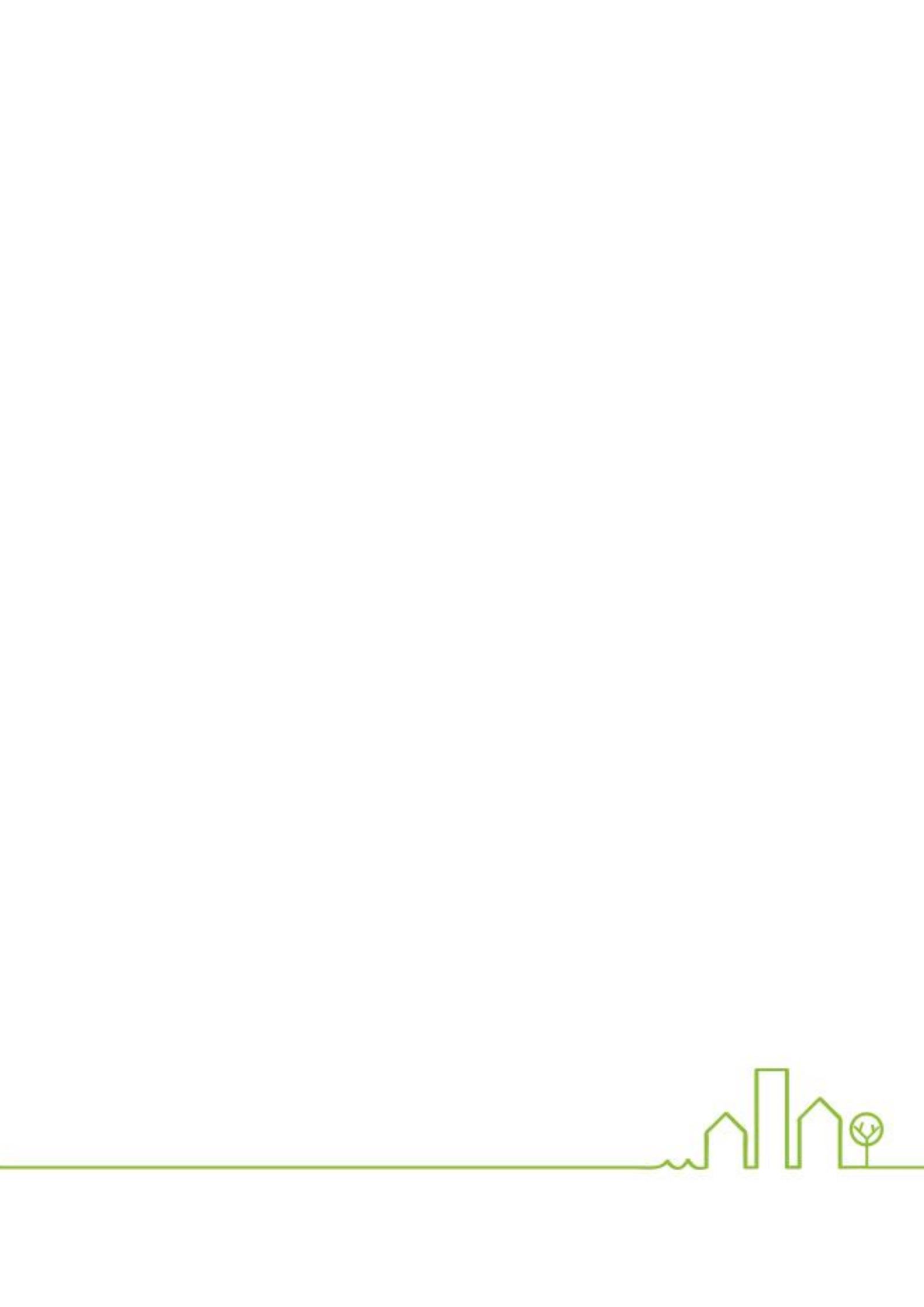
Appendix 2: Deliverable Housing Sites

Five Year Housing Land Supply

HBLP2036 / Permission Ref	Site Name	Total	2019/20	2020/21	2021/22	2022/23	2023/24
Emsworth							
H9 (16/00774)	Land at Selangor Avenue	147	29	50	50	18	
UE13 (17/00358)	Land West of Horndean Road	96	50	46			
Perm (16/00921)	Dolphin Quay, Queen Street	6	6				
H8	Land North of Long Copse Lane	260				20	50
Various	Sites with planning permission for less than 5 dwellings	25	25				
Havant and Bedhampton							
H16 (15/01435)	Land south of Bartons Road	175	25	55	55	40	
(15/00303)	Former Oak Park School	99				48	51
(15/00303) See Appendix 1	Former Oak Park School (80 bed nursing home / 1.8)	44					44
H23 (17/00863)	Southleigh Park House	90				10	40
H21 (15/01425 varied 17/00575)	Wessex site	41		41			
Perm (17/00369)	The Curlew PH, Petersfield Road	31	31				
H26 (17/00695)	9 East Street	10				10	
(16/01077)	Eastleigh House, Bartons Road	9	9				
Perm (18/00897)	15 Langstone Road	8		8			

Perm (17/00230)	42 Bedhampton Hill	7		7			
H14 (18/00450)	Forty Acres	320			30	50	50
H14 (18/00450)	Forty Acres (66 bed care home / 1.8) See Appendix 1	37					37
H18 (19/00007)	Camp Field, Bartons Road	72			30	42	
H15 (18/01033)	Land East of Castle Avenue	255		24	45		
H20 (19/00427)	Land South of Lower Road	50			25	25	
TC1	Havant Town Centre	750		21			
	Sites with planning permission for less than 5 dwellings	48	48				
Hayling Island							
Perm (17/00311)	188-190 Sea Front	18	18				
Perm (16/00060)	36, 38 & 40 & 1 West Lane Station Road	15	15				
Perm (17/00529)	380 Sea Front	13		13			
Perm (13/00317)	Yacht Haven Development Site, Copse Lane	6	6				
Perm (17/00610)	3 Elm Grove	6	6				
H29 (18/00724)	Land north of Sinah Lane	210			40	50	50
H31 (18/01297)	Manor Nurseries	15			15		
H27	Rook Farm	390					20
H28	Fathoms Reach	55			30	25	
	Sites with planning permission for less than 5 dwellings	48	48				
Leigh Park							
H35 (18/00244)	Colt Site, New Lane	100				50	50
L21 (16/00492)	Land adj Riders Junior and Infant School	38	19	19			
18/01009	Former Dairy Crest site, Dunsbury Way	74				35	39
H34	Cabbagefield Row	155					50

H39	Strouden Court	55				30	25
	Sites with planning permission for less than 5 dwellings	0					
Waterlooville							
H41 (13/00804)	Woodcroft Farm	288	10	60	60	60	60
Perm (15/00896 varied 18/00385)	Land at 38-44 London Road, Purbrook	46	46				
H45 (15/01235)	Woodcroft Primary School	43		20	23		
Perm (16/00963)	81C The Clockhouse, London Road	30	30				
Perm (17/00234)	157 Milton Road, Cowplain	7		7			
Perm (16/01122)	208 London Road	5		5			
H44 (19/00224)	Padnell Grange	86		40	46		
H40	Campdown	560				40	50
	Sites with planning permission for less than 5 dwellings	31	31				
	TOTAL	2,936	452	416	674	553	841



Appendix 1: European Site avoidance and mitigation checklist

This checklist must be completed and provided in order for the Local Planning Authority to validate any planning application for one or more dwellings. It sets out how an avoidance and mitigation package will be provided to remove any likely significant effect on a European Site.

All relevant boxes should be completed and the form must be signed. If signed by an agent, it is their responsibility to ensure that the applicant is aware of the commitment to providing a mitigation package, in the form of a financial contribution, the scale of which is currently not known.

Application details	
Site name:	FOWLEY COTTAGE
Site address:	46 WARBLINGTON ROAD

Recreational disturbance													
The proposed development would be within 5.6 km of Chichester and Langstone Harbour, which is a Special Protection Area and Ramsar site. As such, mitigation will need to be provided. The Council considers that mitigation provided in line with the Solent Recreation Mitigation Strategy (available at www.birdaware.org/strategy) is appropriate to the applicable planning applications. This would result in a mitigation package based on the table below. It will be necessary for a suitable avoidance and mitigation package to be provided in order for the Council to lawfully grant permission for applicable schemes. <table border="1"> <thead> <tr> <th>Size of units</th> <th>Scale of mitigation per unit</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>£346.00</td> </tr> <tr> <td>2 bedroom</td> <td>£500.00</td> </tr> <tr> <td>3 bedroom</td> <td>£653.00</td> </tr> <tr> <td>4 bedroom</td> <td>£768.00</td> </tr> <tr> <td>5 bedroom</td> <td>£902.00</td> </tr> </tbody> </table> Please note that a monitoring fee is attached, at 5% of mitigation cost. Please note that an administration fee of £20 per application is applied.		Size of units	Scale of mitigation per unit	1 bedroom	£346.00	2 bedroom	£500.00	3 bedroom	£653.00	4 bedroom	£768.00	5 bedroom	£902.00
Size of units	Scale of mitigation per unit												
1 bedroom	£346.00												
2 bedroom	£500.00												
3 bedroom	£653.00												
4 bedroom	£768.00												
5 bedroom	£902.00												
Please select one of the following options:													
I hereby confirm that the proposed development will include an avoidance and mitigation package in line with the Solent Recreation Mitigation Strategy.	✓												
An alternative approach to avoiding and mitigating the recreational impact arising out of the development is proposed (please set out in more detail in a supporting document appended to this checklist).													
The site is located more than 5.6km from the Solent Special Protection Areas (this applies to only a small section of the Borough in Cowplain).													

Water quality

There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. As such, there is considered to be a likely significant effect from residential (and similar) developments located anywhere in Havant Borough. As a result, an avoidance and mitigation package will be needed in order for the Council to lawfully grant any planning permission. The Council has published a Nutrient Neutrality Position Statement which sets out that it is possible to mitigate development in the short term.

The position statement highlights those developments which are expected to provide avoidance and mitigation on-site, thus resulting in a nutrient neutral development. It also sets out that, for any other applicable developments, the exact scale of avoidance and mitigation package (which would take the form of a financial contribution) is not yet known.

As a result, in order for the development to comply with the requirements of the Conservation of Habitats and Species Regulations and for the Council to lawfully be able to grant planning permission, it will be necessary to impose a grampian condition requiring the provision of an avoidance and mitigation package prior to the occupation of the development.

It would be the applicants risk as to whether to proceed with any development that is granted planning permission without the knowledge of the precise scale of the avoidance and mitigation package.

Please select one of the following options:

I hereby confirm that the proposed development will include an avoidance and mitigation package, in line with the Nutrient Neutrality Position Statement and confirm that I am content that a grampian condition is used to secure this prior to occupation.



The proposed development would be 'nitrogen neutral'. A nitrogen budget is attached to this checklist (this option is particularly applicable to developments proposed on agricultural land)

The proposed development is not nitrogen neutral and no avoidance or mitigation package is proposed (please note that planning permission could not lawfully be granted in these circumstances).

Please select one of the following options to the right, then complete all boxes below

Signed by applicant

Signed by agent



By submitting this form to Havant Borough Council, the applicant is committing to providing mitigation packages, usually in the form of a financial contribution. If the top option for 'water quality' has been selected, the applicant specifically understands that the scale of the contribution is unknown at this time.

If an agent is signing on behalf of an applicant, it is the agent's responsibility to seek the agreement of the applicant to the commitments selected above as it will be the applicants who assumes the risk and responsibility upon the granting of any planning permission.

Signed:

Print name:

ROSEANNE PULLICOMBE

Date:

23/10/2019

Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment (AA)

PLEASE NOTE: Undertaking the HRA process is the responsibility of Havant Borough Council as the Competent Authority for the purpose of the Habitats Regulations. However, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

HRA drafting date:	26 March 2020
HRA completion date:	8 April 2020
Application reference:	APP/19/00623
Application address:	Fowley Cottage, 46 Warblington Road, Emsworth, PO10 7HH
Application description:	Retain the existing 'Fowley Cottage' dwelling and construction of 7No. detached dwellings, two on the Warblington Road frontage and five to the 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.
Lead Planning Officer:	Daphney Haywood
Please note that all references in this assessment to the 'Habitats Regulations' refer to The Conservation of Habitats and Species Regulations 2017 (as amended).	

Stage 1 - details of the plan or project

European site potentially impacted by planning application, plan or project:	▪ Chichester & Langstone Harbours Special Protection Area (SPA) ▪ Chichester & Langstone Harbours Ramsar site ▪ Solent Maritime Special Area of Conservation (SAC) ▪ Solent and Dorset Coast Potential Special Protection Area (SPA) ▪ Solent and Southampton Water SPA ▪ Solent and Southampton Water Ramsar ▪ Portsmouth Harbour SPA ▪ Portsmouth Harbour Ramsar ▪ Solent and Isle of Wight Lagoons SAC (Hereafter known as the Solent European Sites)
Is the planning application directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?	No. The development consists of an increase in residential dwellings, which is neither connected to nor necessary to the management of any European site.
Are there any other projects or plans that together with the planning application being assessed could affect the site?	Yes. All new housing development within 5.6km of the Solent SPAs is considered to contribute towards an impact on site integrity in combination with other development in the Solent area due to increase in recreational pressure.

	All new housing development that would drain to the Budds Farm or Thornham Wastewater Treatment Works due to increase in nitrogen deposition leading to a reduction in water quality. The PUSH Spatial Position Statement (https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/) sets out the scale and distribution of housebuilding which is being planned for across South Hampshire.
--	---

Stage 2 - HRA screening assessment

Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar.

Recreational Pressure

The proposed development is within 5.6km of Chichester & Langstone Harbours SPA/Ramsar. In accordance with advice from Natural England and as detailed in Policy DM24 of the adopted Havant Borough Local Plan (Allocations), Policy E16 of the Pre-Submission Havant Borough Local Plan 2036 and the Solent Recreation Mitigation Strategy, a net increase in housing development within 5.6km of the Solent SPAs is likely to result in impacts to the integrity of those sites through a consequent increase in recreational disturbance.

Development within the 5.6km zone will increase the human population at the coast and thus increase the level of recreation and disturbance of bird species. The impacts of recreational disturbance (both at the site-scale and in combination with other development in the Solent area) are analogous to impacts from direct habitat loss as recreation can cause important habitat to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by human recreational activities (terrestrial and water-based) and use valuable resources in finding suitable areas in which to rest and feed undisturbed. Ultimately, the impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the Chichester and Langstone Harbour SPA and Ramsar sites.

The proposed development represents a net increase in residential dwellings. Paragraph 6.4 of the Solent Recreation Mitigation Strategy sets out that the “developer contribution will be required for every net additional dwelling within 5.6 kilometres of the boundaries of the Solent Special Protection Areas” (see para 6.3).

As a result, there would be a likely significant effect to the Chichester & Langstone Harbours SPA due to recreation.

Water Quality

The proposed development is within the catchment of a wastewater treatment works that would drain into the Chichester and Langstone Harbours SPA.

Natural England advises that there is a likely significant effect on the Chichester and Langstone Harbour SPA, Chichester and Langstone Harbours Ramsar site, the Solent Maritime SAC and the Solent and Dorset Coast SPA (the Solent's European Sites) due to the increase in waste water from the new housing as a result of the Havant Borough Local Plan 2036. Natural England also advises that any development proposed through any planning application providing overnight accommodation which would discharge into the Solent would be likely to cause a

significant effect as there is uncertainty as to whether the increase in waste water from new housing in the Solent catchment will have an adverse effect on the Solent's European Sites.

Natural England advise that there is existing evidence of high levels of nitrogen and phosphorus in the Solent water environment with evidence of eutrophication at some designated sites. This causes eutrophication, which affects vegetation growth and food resources for qualifying species such that it affects the status and distribution of those species and therefore act against the stated conservation objectives of the Chichester and Langstone Harbour SPA and Ramsar sites. The Partnership for Urban South Hampshire (PUSH), Natural England (NE), and Environment Agency (EA) have been jointly working to develop an Integrated Water Management Strategy (IWMS). This examines the potential for the PUSH region to accommodate future housing growth without having a detrimental effect upon the water environment. A Water Quality Working Group has been set up to identify and analyse the existing evidence gaps and evaluate the need for strategic mitigation measures. However, there is currently uncertainty as to whether there is sufficient capacity to accommodate the new housing growth.

Natural England recommends that any new proposals which include overnight accommodation have inevitable waste water implications. These implications, and all other matters capable of having a significant effect on designated sites in the Solent, must be addressed in the ways required by Regulation 63 of the Habitats Regulations.

Natural England recommends that the waste water issue is examined within the appropriate assessment and that the existing nutrient and conservation status of the receiving waters be taken into account. The achievement of nutrient neutrality, if scientifically and practically effective, is a means of ensuring that development does not add to existing nutrient burdens.

As a result, there would be a likely significant effect to the following European Sites due to water quality:

- Chichester & Langstone Harbours Special Protection Area (SPA)
- Chichester & Langstone Harbours Ramsar site
- Solent Maritime Special Area of Conservation (SAC)
- Solent and Dorset Coast Potential Special Protection Area (SPA)
- Solent and Southampton Water SPA
- Solent and Southampton Water Ramsar
- Portsmouth Harbour SPA
- Portsmouth Harbour Ramsar
- Solent and Isle of Wight Lagoons SAC

Construction noise / activity / pollution

Fugitive dust

During construction activity, there is the potential for releases of fugitive dust to result in deleterious impacts on plant growth in habitats up to 50m from the source. This distance is based on guidance from the Institute of Air Quality Management (IAQM, 2014). Given the distance from the designated sites, it is considered to be no potential for construction to result in LSEs, and as such, air pollution during construction will not be carried forward to Appropriate Assessment.

Construction noise /activity

There is potential for construction noise and activity to cause disturbance of SPA qualifying bird species present on site, either using existing habitats or those created as mitigation.

As a result, there would be a likely significant effect to the following European Sites due to construction noise and activity:

- Chichester and Langstone Harbours SPA

- Chichester and Langstone Harbours Ramsar site

Atmospheric pollution

Air quality changes can also occur as a result of deposition of nitrogen and acid in the form of oxides of nitrogen and sulphur respectively. These gases are principally released by exhausts from internal combustion engines. During construction, workers vehicles, plant machinery and generators are all potential sources of exhaust gases. During operation / occupation of a site, it is principally vehicles belonging to workers / residents / visitors that cause acid and nitrogen deposition.

These changes can result in an increase in nutrient levels developing in soils that can change species compositions. Most frequently, this results in habitats becoming dominated by eutrophilic (nutrientloving) plants that are much faster growing and can out-compete other species. These species would include bramble *Rubus fruticosus* and common nettles *Urtica dioica* that are of limited ecological value. Deposition of acid can cause changes in soil pH, which can also alter the plant species present over time.

Would the proposal lead to a likely significant effect on European site integrity? Yes, due to recreational pressure and water quality.

(If yes, continue to Stage 3).

Stage 3 - Appropriate Assessment

Appropriate Assessment under Regulation 63(1) - if there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long-term management, maintenance and funding of any solution.

Recreational Pressure

The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations), Policy E16 of the Draft Havant Borough Local Plan 2036 and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

Havant Borough Council formally adopted the Solent Recreation Mitigation Strategy in February 2018. The SRMP provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Solent SPAs arising from new residential development. This strategy represents a partnership approach to the issue which has been endorsed by Natural England.

As set out in the Solent Recreation Mitigation Strategy, an appropriate scale of mitigation for this scheme would be:

Size of units	Scale of mitigation per unit	Amount proposed in this scheme	Cost
1 bedroom	£346.00	0	£0.00
2 bedroom	£500.00	0	£0.00
3 bedroom	£653.00	2	£1,306.00
4 bedroom	£768.00	5	£3,840.00
5 bedroom	£902.00	0	£0.00

Monitoring fee ¹ for this scheme:	£257.30
Administration fee ² for this scheme:	£20.00
TOTAL AVOIDANCE AND MITIGATION PACKAGE:	£5,423.30

¹Monitoring fee is 5% of total mitigation cost

²Administration fee is £20 per application

Policy E16 of the Pre-Submission Havant Borough Draft Local Plan 2036 and sets out HBC's approach to securing the appropriate mitigation measures to address the in-combination impact of increased recreational disturbance arising from increased housing development. It states:

"Planning permission will be granted for residential development resulting in a net increase in population that mitigates a likely significant effect on the Solent SPAs"

A legal agreement will be necessary to secure the mitigation package. The applicant has confirmed through a European Site Avoidance and Mitigation Checklist that they commit to providing a mitigation package. Without the security of the mitigation being provided through a legal agreement, a significant effect would remain likely. As long as such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore the development will not act against the stated conservation objectives of the European sites.

Water Quality

The project being assessed would result in an increase in population in the catchment of several European Sites as set out in stage 2. As advised by Natural England, a permanent significant effect on the Solent SPAs due to the decrease in water quality as a result of new development, is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures to address the likely significant effect on water quality.

Havant Borough Council's Cabinet approved the Position Statement on Nutrient Neutral Development on 26 June 2019. This sets out how mitigation can be provided to enable development to take place within Havant Borough whilst avoiding any likelihood of a significant effect on the European Sites identified in stage 2.

The Position Statement sets out that mitigation would be secured through a Grampian condition, requiring the mitigation package to be agreed, provided to the Council and implemented prior to the occupation of the development.

A legal agreement will be necessary to secure the mitigation package. The applicant has confirmed through a European Site Avoidance and Mitigation Checklist that they commit to providing a mitigation package. Without the security of the mitigation being provided through a legal agreement, a significant effect would remain likely. As long as such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore the development will not act against the stated conservation objectives of the European sites.

Construction Impacts

There is potential for construction noise and activity to cause disturbance of SPA qualifying bird species. Control measures could be covered by a Construction Environment Management Plan (CEMP), to include measures controlling matters such as minimising idling by machinery, locating construction compounds in less noise sensitive areas of the site and maintaining machinery to further reduce these noise levels. Subject to the imposition of a condition securing these controls, it is considered that the significant effect due to noise, disturbance and construction related pollutants which would have been likely, could be suitably avoided and mitigated, and subject to a condition it may be possible to conclude that as such, no likelihood of a significant effect remains on this issue.

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

This assessment represents Havant Borough council's Appropriate Assessment as a Competent Authority in accordance with requirements under Regulation 63 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2012.

This assessment concludes that the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above European sites.

The authority has concluded that the adverse effects arising from the proposal are wholly consistent with the effects detailed in the Solent Recreation Mitigation Strategy with regards recreational disturbance. The adverse effects are also consistent with the effects detailed in the Position Statement on Nutrient Neutral Development with regards water quality.

The authority's assessment is that the application complies with these strategies and the potential to provide mitigation to remove the significant effects that otherwise would have been likely. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above.

Natural England Officer:

Natural England's comments;

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. We provide the following comments on the Appropriate Assessment. Providing these measures are appropriately secured with any planning permission, Natural England concurs with the assessment conclusions.

Solent Recreation Mitigation Strategy

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar site(s) may result from increased recreational

pressure. Portsmouth City Council has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). It is Natural England's view that the Solent Mitigation Recreation Strategy Contribution adequately mitigates the effects of the development on potential recreational impacts on the designated sites.

Nutrient neutrality

With regard to deterioration of the water environment, it is noted that the approach to address the positive nitrogen budget for this development is to offset against the interim strategy, with measures to ensure this approach can be adequately secured and accounted for.

It is Natural England's view that in this case, provided the Council as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Please consult Natural England on the discharge of the Grampian condition.

Construction impacts

It is noted that a CEMP will be secured with any planning permission, with some mitigation measures included in the Appropriate Assessment. Provided the CEMP includes best practice measures for dust control, pollution and surface water drainage measures during construction and measures to prevent noise, lighting and visual disturbance on the designated sites, Natural England raises no further comments.

It is also recommended that the following condition is attached to any planning permission:

Wherever possible, percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) should be avoided during the bird overwintering period (i.e. October to March inclusive). If such a condition is problematic to the applicant than Natural England will consider any implications of the proposals on the SPA bird interests on a case by case basis through our Discretionary Advice Service. Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

We advise that you may want to seek your own legal advice on the implications of the Sweetman II ruling and the level of detail that should be included within an Appropriate Assessment.

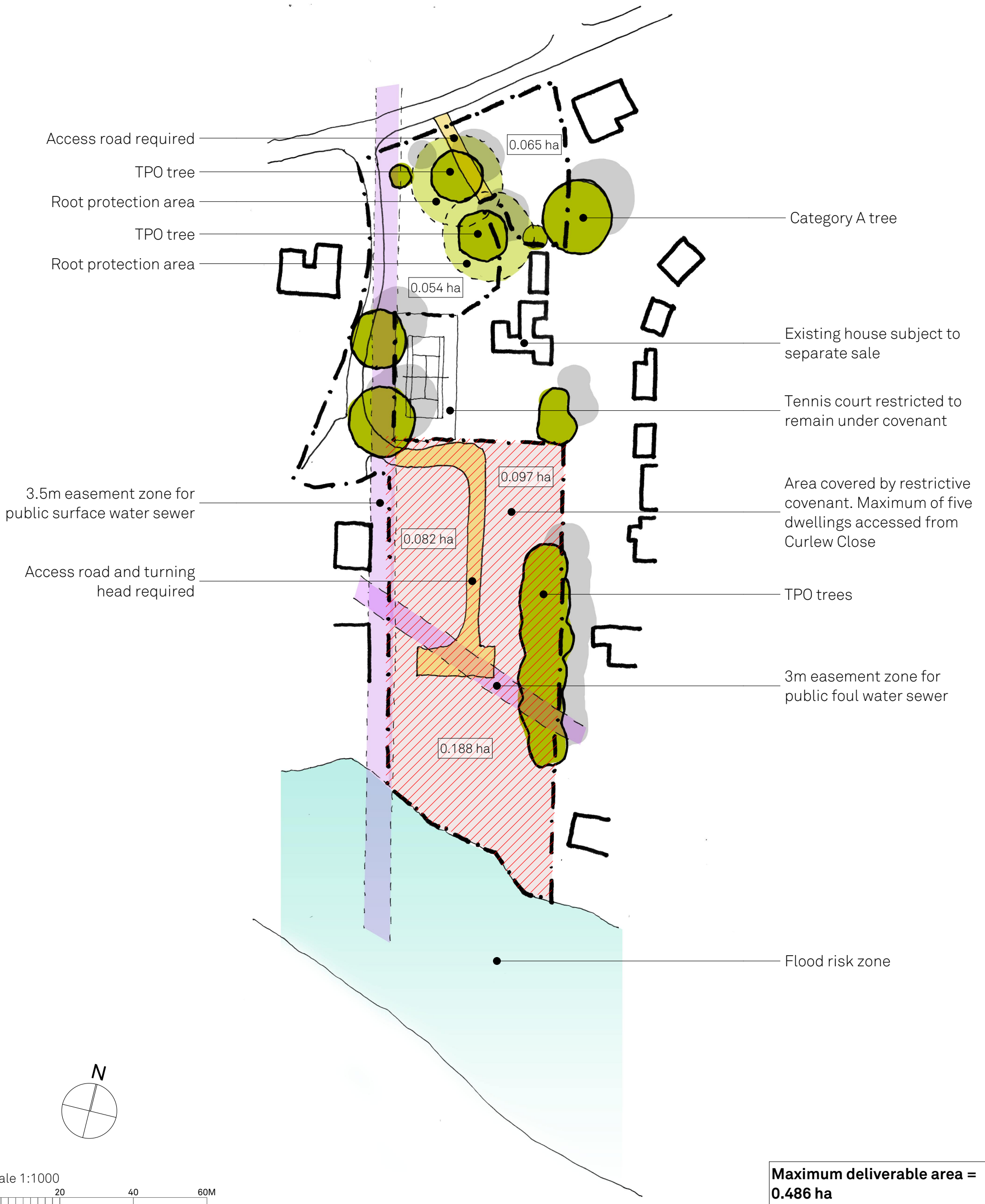
Surface water drainage

Due to the close proximity of the designated sites, we advise that any SuDS should be designed and installed in accordance with the requirements in the CIRIA SuDS Manual (C753).

The pollution hazard indices in the CIRIA SuDS Manual (C753) relate to 'protected waters' with regards to drinking water supply. Step 3 under Section 26.7.1 of the SuDS manual outlines that the requirement for extra treatment should be considered in relation to discharge to environmentally protected sites. It states that 'an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection, is required that

provides environmental protection in the event of an unexpected pollution event or poor system performance’.

Provided this is secured with any planning permission, Natural England raise no further comments.



revisions
P01 9/16/2019

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www.re-format.co.uk
mail@re-format.co.uk
+44 (0)1420 82131

drawn by
RP
checked by
MS

date
Sept 2019
scale at A3
1:1000

project title
46 Warblington Road
document title
Constraints Plan

status
S1
drawing number
15048-RFT-00-XX-DR-A-0124

drawing status
Suitable for Co-ordination
revision
P01

RE-
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MAT



from
**Southern
Water** 

Department of Planning and Development
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
Hampshire
PO9 2AX

Your ref
APP/19/00623

Our ref
PLAN-028725

Date
11/07/2019

Contact
Tel 0330 303 0119

Dear Sirs,

Proposal: Retain the existing 'Fowley Cottage' dwelling and construction of 6No. 5 bed detached dwellings, two on the Warblington Road frontage and four to the rear garden area. Access to Plot 5 to be taken off Warblington Road, access to Plots 1 -4 and 6 to be taken off Curlew Close.

Site: Fowley Cottage, 46 Warblington Road, Emsworth, PO10 7HH.

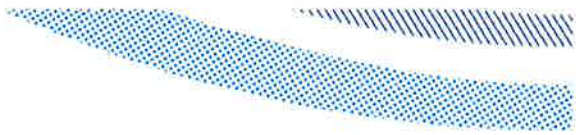
Thank you for your letter of 26/06/2019.

Please find attached a plan of the sewer records showing the approximate position of a public surface water and foul sewer within the site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Southern Water requests that this application is not determined until such time as the applicant produces a suitable development and drainage layout maintaining the below standoff distance requirement of public surface water sewer.

Please note:

- No development or new tree planting will be permitted to be located within 3.5 meters on each side of the external edge of the public surface water sewer (450mm) and 3 meters of the public foul sewer (300mm) respectively.
- No soakaways, attenuation storage or other water retaining or conveying features should be located within 5 meters of public or adoptable sewers.
- All existing infrastructure should be protected during the course of construction works.



Reference should be made to Southern Water publication "A Guide to Tree Planting near water Mains and Sewers" and **Sewers for Adoption (SfA)** with regards to the restrictions and maintenance of tree planting adjacent to sewers and rising mains and water mains.

The impact of any works within highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, in order to protect public infrastructure.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development."

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

Southern Water requires a formal application for connections to the public foul and surface water sewers to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connections to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link : <https://beta.southernwater.co.uk/infrastructure-charges>.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order:

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

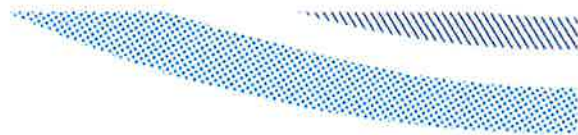
The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

Specify the responsibilities of each party for the implementation of the SUDS scheme

Specify a timetable for implementation

Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."



This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

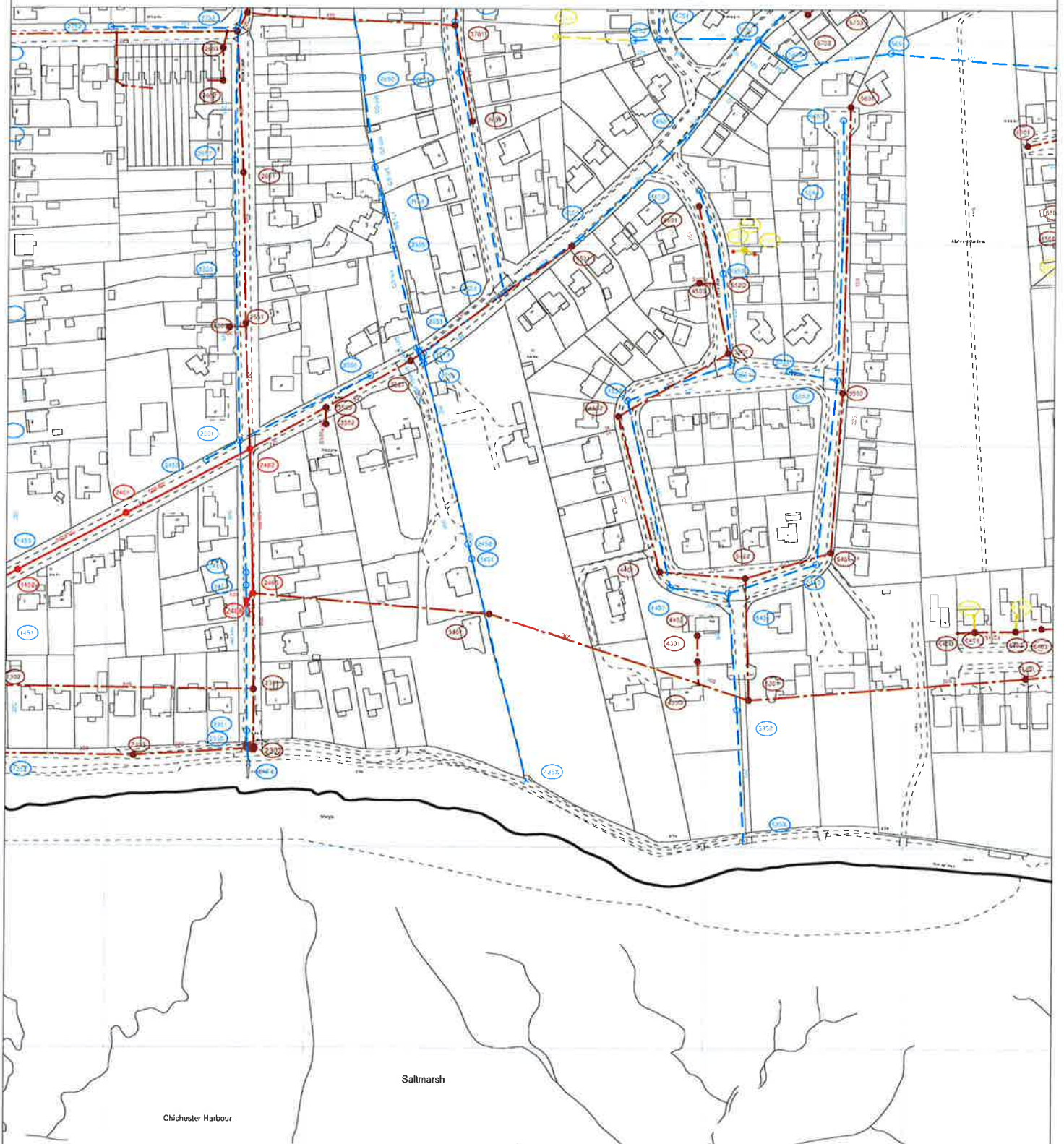
For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Marta Karpezo', written in a cursive style.

Marta Karpezo
Developer Services

SOUTHERN WATER



The positions of pipes shown on this plan are believed to be correct, but Southern Water Services Ltd accept no responsibility in the event of inaccuracy. The actual positions should be determined on site.

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O.S. REF: SU7405SW

Scale: 1:2500

Screen Print

WARNING: BAC pipes are constructed of Bonded Asbestos Cement
WARNING: Unknown (UNK) materials may include Bonded Asbestos Cement



Printed By: kishoku

Date: 8-7-2019

Southern Water MapGuide Browser

Requested By:





Clover House
Western Lane
Odiham
Hampshire RG29 1TU
Tel: 01256 703355
Email: info@bellamyroberts.co.uk

Warblington Road
Emsworth



FLOOD RISK ASSESSMENT

On Behalf Of
Mr. Charles Glanville

ITR/5042/FRA.5
August 2019



Partners:
GD Bellamy BSc CEng MICE
IT Roberts MCIHT

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Reg No OC303725. Registered Office:
Clover House, Western Lane, Odiham,
Hampshire RG29 1TU

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APPENDICES

Appendix 1	Environment Agency Comments (15 th August 2017 & 30 th July 2019)
Appendix 2	Ground Investigation Data
Appendix 3	British Geological Survey Mapping
Appendix 4	Greenfield Run-Off Rates
Appendix 5	Southern Water Surface & Foul Water Sewer System
Appendix 6	Indicative Drainage Strategy (5042/004 Rev. B)

1.0 INTRODUCTION

- 1.1 Bellamy Roberts LLP has been retained by Mr. Charles Glanville to undertake a Flood Risk Assessment (FRA) in support of a planning application for a residential development on land south of Warblington Road, Emsworth.
- 1.1 This assessment has been undertaken to ascertain whether there are any constraints to the development of this site, and to assess the impact of the proposal, with regard to flood risk.
- 1.2 The site has an approximate area of 0.83ha and is located in Flood Zone 1. Government guidance states that Flood Risk Assessments are generally only necessary in Flood Zone 1 when the development area is greater than 1ha. However, an FRA is required for developments of less than 1ha when the proposed development will provide a more vulnerable use class.
- 1.3 Notwithstanding this, this Assessment has been prepared to accompany an indicative sustainable drainage design, and will also consider the expected greenfield run-off rates, soil types, and Environment Agency (EA) Flood Mapping.
- 1.4 A previous version of the FRA was submitted to the EA in August 2017 for their comment. In response, the EA stated they had no comments or objections to the proposal. There have been no material changes to the scheme in the intervening period. A copy of the EA comments are provided at **Appendix 1**.
- 1.5 Consultation comments have been received from the Environment Agency (dated 30th July 2019) on version 4 of the Flood Risk Assessment (FRA), submitted to the LPA as part of the current planning application. The FRA has therefore been updated to version 5, to address these comments. A copy of the EA consultation comments is provided at Appendix 1.

Site Location and Features

- 1.6 The National Grid reference for the site is 474407, 105452. For clarity, a site location plan is provided at Figure 1.



Figure 1: Site Location Plan

Appropriateness of Development Proposal

- 1.7 National guidance states that Flood Zone 1 is suitable for all types of development. Reproduced below is an extract from the EA Flood Zone map which clearly demonstrates that the site is located wholly within Flood Zone 1.
- 1.8 The topography falls from 6.75m in the northern corner to 1.98m in the southern corner. (Source: LIDAR) – Figure 2.

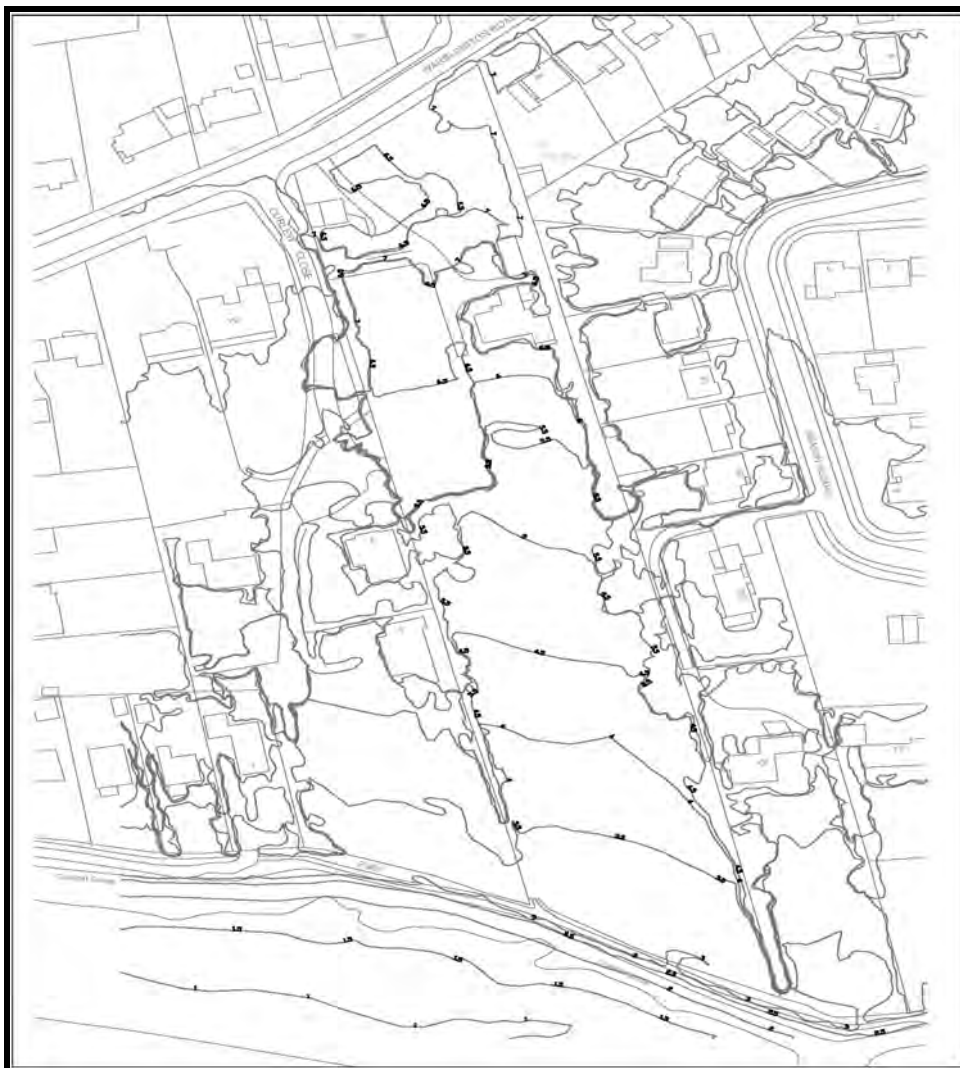


Figure 2: (Source LIDAR) – Topography of site.

- 1.9 The site is accessed off Warblington Road which borders the northern boundary of the site. Residential development is located on all sides other than the southern boundary which is bound by Chichester Harbour.

Appropriateness of Development Proposal

- 1.10 National guidance states that Flood Zone 1 is suitable for all types of development. Reproduced at Figure 3 is an extract from the EA Flood Zone map which demonstrates that the proposed dwellings will lie within Flood Zone 1.

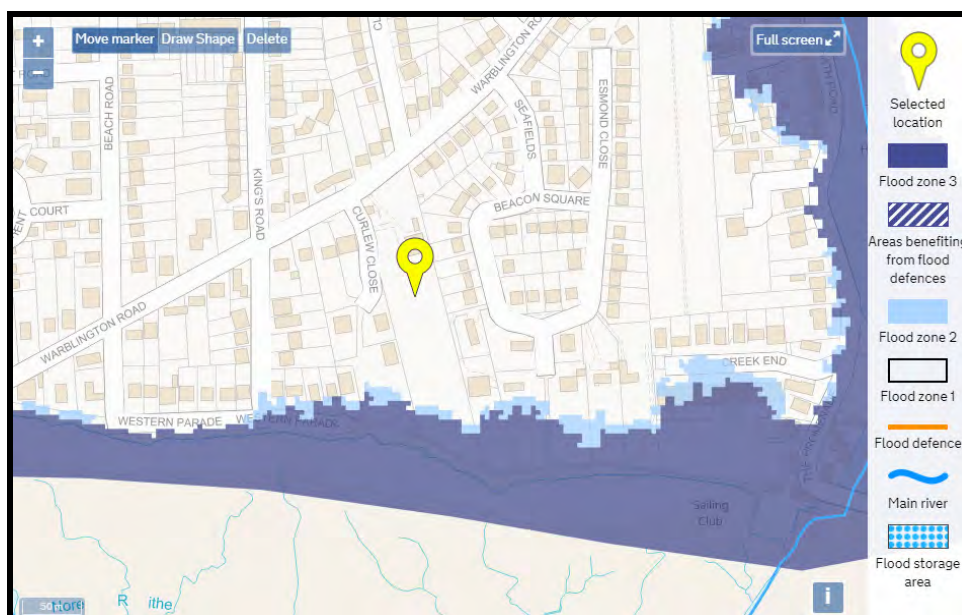


Figure 3: Flood Zone Map (Source: EA)

- 1.11 An extract from the EA surface water flood risk map is provided in Figure 4. This demonstrates that the site is not at risk of flooding from this source.



Figure 4: Surface Water Flood Risk Map (Source: EA)

- 1.12 In addition to surface water flood risk, it is also important to consider the risk of flooding from rivers and the sea. In this regard, EA mapping has further been interrogated to determine the risk posed from this type of flooding (see Figure 5).

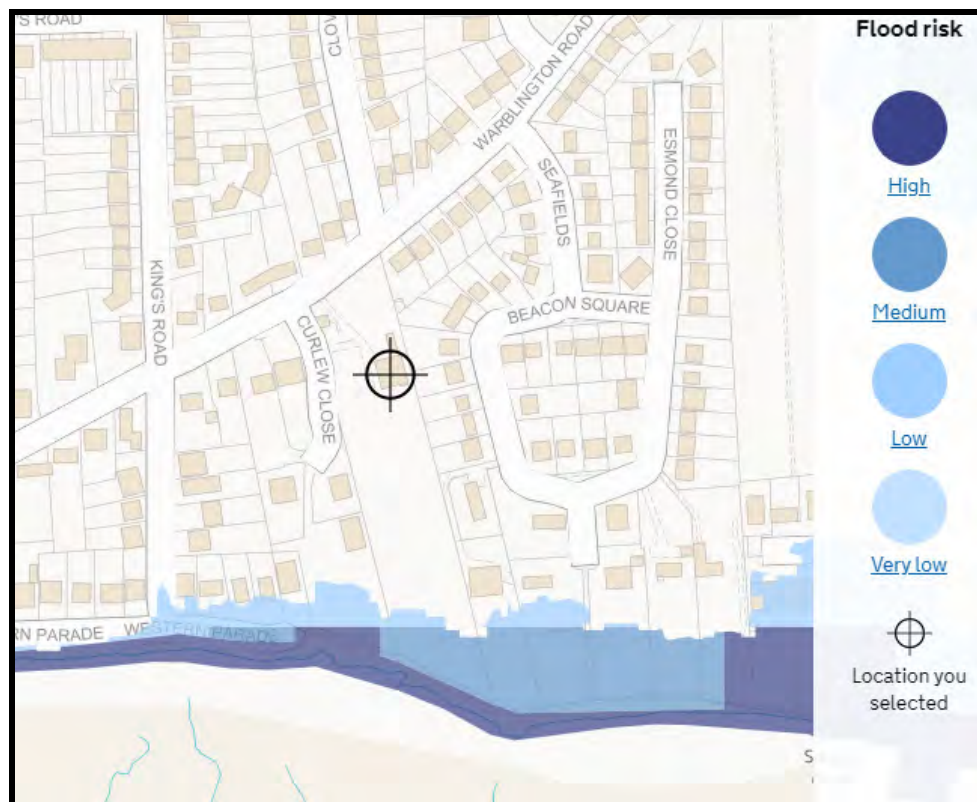


Figure 5: Rivers/Sea Flood Risk Map (Source: EA)

- 1.13 Figure 5 demonstrates that the southern extremity of the site has a low to medium risk of river or sea flooding.
- 1.14 The proposed development has been designed with due regard to this potential risk. As such, the proposed units have not been located within the area at risk of flooding.
- 1.15 When considering climate change the site specific flood data was requested for the EA. This illustrates the tidal model for 2115 which considers likely climate change (see Figure 6). The level indicated on the mapping provides a flooding level for 2115 of 4.5m AOD.



Figure 6: Tidal Model for 2115

1.16 Due to the topography of the application site, part of the proposed built development falls within the estimated future tidal flood risk area for 2115 and as such can be designed to mitigate this potential impact.

1.17 In this regard, floor levels of the southernmost properties could be designed to be above the 2115 estimated flood level of 4.5m AOD.

Ground Investigation Data

1.18 Soakaway testing, in accordance with BRE365, has previously been undertaken at the site. The testing observed that no infiltration was possible and concluded that the soils are not likely to perform to a satisfactory standard. The full testing results are attached at **Appendix 2**.

1.19 British Geological Survey mapping indicates that there are superficial deposits of sand, silt and clay (fluvial in origin), and the bedrock at the site is chalk. The BGS mapping extract is provided at **Appendix 3**.

2.0 FLOOD RISK ASSESSMENT

Flood Risk Assessment Methodology and Objectives

2.1 It is recognised that developments that are designed without regard to flood risk may endanger lives, damage property, cause disruption to the wider community, damage the environment, be difficult to insure and require additional expense on remedial works. Current guidance on development and flood risk identifies several key aims for a development to ensure that it is sustainable in flood risk terms. These aims are as follows:

- the development should not be exposed to flood risk such that the health, safety and welfare of the users of the development, or the population elsewhere, are threatened;
- the development should not be at a significant risk of flooding and should not be susceptible to damage due to flooding;
- safe access to and from the development should be possible during flood events;
- the development should not increase flood risk elsewhere;
- the development should not prevent safe maintenance of watercourses or maintenance and operation of flood defences;
- the development should not be associated with an onerous or difficult operation and maintenance regime to manage flood risk. The responsibility for any operation and maintenance required should be clearly defined;
- future users of the development should be made aware of any flood risk issues relating to the development;
- the development design should be such that future users will not have difficulty obtaining insurance or mortgage finance, or in selling all or part of the development, as a result of flood risk issues;
- the development should not lead to degradation of the environment, and;
- the development should meet all of the above criteria for its entire lifetime, including consideration of the potential effects of climate change.

2.2 This Assessment has been prepared with due consideration of these sustainability aims, to inform the proposed scheme. A development lifetime of

100 years has been assumed in line with PPG guidance on residential development life cycles.

Project Scope

2.3 In order to achieve the aims outlined above, this Assessment has been undertaken in accordance with current best-practice guidance.

2.4 A scoping study was initially undertaken to identify all potential sources of flooding at the site, which may warrant further consideration.

2.5 Any potential flooding issues identified in the scoping study have subsequently been considered within this Assessment. The aim of the scoping study is to review all available information and provide a qualitative assessment of the flood risk to the site and the impact of the site on flood risk elsewhere.

2.6 The Report has been undertaken with due regard to the EA's National Standing Advice on Development and Flood Risk.

Existing Greenfield Run-off Rates

2.7 The existing greenfield run-off rates have been obtained from www.uksuds.com and are summarised in Table 1. The full output is attached at **Appendix 4**.

Table 1: Existing Greenfield Run-off Rates

Return Period (Years)	IH 124 Run-off Rates
	l/s for 0.83ha
1 in 1 year	1.33
1 in 30 years	3.60
1 in 100 years	5.00
1 in 100 years (+40%)	7.00

2.8 The soil has been categorised by UK Suds as being 'type 2'. Soil type 1 is sandy highly permeable material with permeability reducing as the Soil value increases. Soil type 4 is heavy clay and 5 (which is rarely applied) is exposed rock.

3.0 DRAINAGE STRATEGY

Disposal of Surface and Foul Water

3.1 The existing dwelling utilises the Southern Water surface water and foul water sewers located in the vicinity of the application site. The location of Southern Water foul and surface water sewers has been provided on the plan attached at **Appendix 5**.

3.2 The surface water sewer borders the western boundary of the application site and outfalls into Chichester Harbour. There are two foul water sewers in the vicinity of the site, one bisects the application site on a broadly west/east alignment and the other is present within Warblington Road.

Surface Water

3.3 In accordance with SuDS principles, the proposal will initially seek to provide soakaway drainage to serve each plot.

3.4 However, based on the results of the infiltration testing previously undertaken at the site, the sub-strata is not suitable for soakaway drainage (see Appendix 2).

3.5 In this regard, an alternative option has been considered which will provide storage tanks for each property. 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 2.0l/s.

Foul Water

3.6 With regards to the foul water strategy, it is proposed that plots 5 and 6 will connect to the existing foul water sewer within Warblington Road, and plots 1-4 will connect to the foul water sewer that bisects the site.

3.7 The proposed surface and foul water drainage strategy, along with MicroDrainage analysis of the surface water strategy, has been provided at **Appendix 6**.

3.8 It is evident from Figure 6 that the majority of the site falls outside of the area affected by the forecasted 2115 estimated flood levels. Due to the topography of the site, the two southernmost properties will be affected. In this regard, it will be ensured that the Finished Floor Level (FFL) of these properties will be a minimum of 4.500AOD, and therefore above the 2115 estimated flood level. Such an undertaking will ensure that future occupants will remain safe for the lifetime of the development, without the need for additional flood resistance and resilience measures.

3.9 With regards to the site access road, a small section at its southernmost extremity falls within the 2115 estimated future tidal flood risk area. Due to the topography of the site, the remainder will not be affected. To ensure safe access and egress to the entire development, it will be ensured that the level of the access road will be above the flood level estimated for 2115.

Maintenance and Management

3.10 The continued management and maintenance of the drainage system will be essential in ensuring the continued protection of the development from the surface water flooding.

3.11 Visual inspection of the drainage network and outfalls should be undertaken on a regular basis to identify any siltation/blockage/disrepair of the drainage network and attenuation facilities.

3.12 A surface water management system therefore needs to be drawn up as part of any planning consent that is issued for the site.

4.0 SUMMARY AND CONCLUSIONS

4.1 Bellamy Roberts LLP has been retained by Mr. Charles Glanville to undertake a Flood Risk Assessment (FRA) in support of a planning application for a residential development on land south of Warblington Road, Emsworth.

- 4.2 Environment Agency mapping has been reviewed and it has been determined that the site lies wholly within Flood Zone 1, and no risk of flooding from sources such as surface water and rivers.
- 4.3 Due to the topography of the application site, part of the proposed built development falls within the estimated future tidal flood risk area for 2115. In this regard, floor levels of the southernmost properties and access road will be designed to be above the 2115 estimated flood level of 4.5m AOD.
- 4.4 Surface water storage tanks will be provided for each property. 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 2.0l/s.
- 4.5 With regards to the foul water strategy, it is proposed that plots 5 and 6 will connect to the existing foul water sewer within Warblington Road, and plots 1-4 will connect to the foul water sewer that bisects the site.

APPENDICES

APPENDIX 1

Debby Wise

From: PlanningSSD <PlanningSSD@environment-agency.gov.uk>
Sent: 15 August 2017 16:06
To: Ian Roberts
Subject: RE: Warblington Road, Emsworth - 5042

Good Afternoon Mr Roberts,

My name is Jon Maskell and I am the Environment Agency officer responsible for planning matters for Havant Borough Council.

Thank you for emailing us with the Flood Risk Assessment (FRA) associated for this site.

Having had a look at the FRA it shows that the proposed red line boundary is located wholly inside flood zone 1 and therefore, in line with national policy, in an area at lowest risk of flooding. Therefore we would not be a statutory consultee at the planning stage. With this in mind, we are pleased to see that the development is outside of current day flood zones and considers the site over the lifetime of the development. Therefore we have no comments or objections to the proposal.

I would say that it may be worth consulting with the relevant Lead Local Flood Authority (LLFA) to discuss any matters pursuant to surface water disposal.

I hope that this is of assistance

Kind Regards

Jon

Jon Maskell | Sustainable Places Advisor | Solent and South Downs Area | Environment Planning and Engagement
Environment Agency | Romsey District Office | Canal Walk | Romsey | Hampshire | SO51 7LP

Tel: 020 8474 5888

jon.maskell@environment-agency.gov.uk

We offer a cost recovery service for bespoke pre-application advice. For more information go to: gov.uk or [email us](#)

Flood Risk Standing Advice was updated on 15 April 2015. For more information please follow the links below:

For developers: [FRSA developers page](#)

For councils: [FRSA council's page](#)



Our **climate change allowances** for planning were updated on 19 February 2016. The guidance is accessible here: [Flood risk assessment: Climate change allowances](#)

From: Ian Roberts [<mailto:ianroberts@bellamyroberts.co.uk>]
Sent: 11 August 2017 13:18
To: PlanningSSD <PlanningSSD@environment-agency.gov.uk>
Subject: Warblington Road, Emsworth - 5042

For the Attention of Hannah Highland

Dear Hannah

We have been requested by our client to obtain the Environment Agency's view on the Flood Risk Assessment which has been undertaken in respect of the site at Warblington Road, Emsworth. The scheme involves a development of the rear garden of the existing property and providing six dwellings in addition to the existing house.

We would be grateful for your views and should you have any queries regarding the FRA please feel free to call me.

Many thanks

Kind regards

Ian Roberts



Clover House
Western Lane
Odiham
Hampshire
RG29 1TU

Tel: 01256 703355
Fax: 01256 704934

Contact Email: ianroberts@bellamyroberts.co.uk

General Email: info@bellamyroberts.co.uk

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Havant Borough Council
Development Control
Civic Offices Civic Centre Road
Havant
Hampshire
PO9 2AX

Our ref: HA/2019/121470/01-L01
Your ref: APP/19/00623
Date: 30 July 2019

Dear Sir/Madam

RETAIN THE EXISTING 'FOWLEY COTTAGE' DWELLING AND CONSTRUCTION OF 6NO. 5 BED DETACHED DWELLINGS, TWO ON THE WARBLINGTON ROAD FRONTAGE AND FOUR TO THE REAR GARDEN AREA. ACCESS TO PLOT 5 TO BE TAKEN OFF WARBLINGTON ROAD, ACCESS TO PLOTS 1-4 AND 6 TO BE TAKEN OFF CURLEW CLOSE FOWLEY COTTAGE, 46 WARBLINGTON ROAD, EMSWORTH, PO10 7HH

Thank you for the consultation on the above application, please quote our reference on all correspondence.

We have reviewed the information as submitted and have the following comments.

Environment Agency position

In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

Reason

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance.

The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- take the impacts of climate change into account adequately. Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make the development resilient to the flood levels for 2115 of 4.5mAOD as stated in paragraph 1.14 of FLOOD_RISK_ASSESSMENT-1180237 (FRA) submitted with the application. Consequently the development proposes inadequate:

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

- o Raised finished floor levels. Paragraph 1.16 of the FRA states “*In this regard, floor levels of the southernmost properties could be designed to be above the 2115 estimated flood level of 4.5m AOD*”, but it does not specify what they will actually be. The drawing in Appendix 6 titled “*Foul and Surface Water Drainage Strategy*” shows the 2 southern most properties as having finished floor levels (FFL) of 4.2mAOD and 4.1mAOD which are both below the expected 2115 flood level of 4.5mAOD.
- consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event
 - o Safe access and egress routes
- consider how a range of flooding events (including extreme events) will affect people and property
 - o Resistance and resilience measures

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above.

Advice to Applicant

Finished floor levels (FFL)

The FRA needs to ensure that built development proposals incorporate adequate flood risk mitigation up to the design flood level for 2115 of 4.5mAOD (as stated in the FRA). The following government website will assist the applicant in determining the adequate freeboard for the development (this includes coastal, estuarine and tidal) :

<https://www.gov.uk/government/publications/accounting-for-residual-uncertainty-an-update-to-the-fluvial-freeboard-guide>

Safe access and egress

The application needs to demonstrate that occupants can remain safe for the lifetime of the development when allowances for climate change are taken into consideration. There needs to be sufficient flood risk mitigation up to the design flood level and/or specified arrangements for safe access and egress.

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures if appropriate. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

Revised FRA

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it.

Environmental permit

Planning permission does not remove the requirement for an Environmental Permit. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Please do not hesitate to contact me on the number below should you have any queries on the above information.

Yours faithfully

Mrs Sophie Brown
Sustainable Places Planning Advisor

Direct dial 02030 257250

Direct e-mail planningSSD@environment-agency.gov.uk

APPENDIX 2

CLIENT	Charles Glanville c/o Re-Format Limited
SITE ADDRESS	Fowley Cottage, 46 Warblington Road, Emsworth, Hampshire PO10 7HD
REPORT REFERENCE	GWPR1704
ENGINEER	Joshua Laite, Ground and Water Limited
INVESTIGATION LOCATIONS	Please see Figure 1 attached. Site works were undertaken on 20 th June 2016 and comprised the excavation of six trial pits (TP1-TP6) with soakaway testing in accordance with the principles of BRE365 in TP1-TP3 and TP5-TP6.

GROUND CONDITIONS ENCOUNTERED

Summary of Strata Encountered (TP1-TP6)		
Strata	Depth Encountered (m bgl)	Thickness (m)
TOPSOIL: Mid brown silty sandy gravelly clay. Sand is fine grained. Gravel is rare to occasional, sub-angular to sub-rounded, fine to coarse flint.	GL	0.15 – 0.30
MADE GROUND (TP6): Light brown silty sandy gravelly clay. Sand is fine to medium grained. Gravel is fine to abundant, fine to coarse, angular to sub-rounded flints, chalk and bricks.	0.20	0.60
RIVER TERRACE DEPOSITS: Mottled light / mid brown / orange, silty sandy gravelly CLAY. Sand is fine grained. Gravel is rare to occasional, fine to medium, sub-angular to sub-rounded flint.	0.15 – 0.30	0.90 – 1.55
RIVER TERRACE DEPOSITS: Mottled light / mid brown / orange silty sandy gravelly CLAY. Sand is fine to medium grained. Gravel is abundant, fine to coarse, sub-rounded to sub-angular flints and chalk.	0.80 – 1.70	0.90 - 2.90
RIVER TERRACE DEPOSITS (TP1 and TP4): Light brown / off white sandy gravelly CLAY. Sand is fine to coarse grained. Gravel is abundant, fine to medium, sub-angular to sub-rounded, flint and chalk.	2.90 - 3.90	0.20 – 0.40
LEWES NODULAR CHALK FORMATION (TP3): Structureless CHALK composed of cream gravelly sandy SILT. Gravel are moderately weak, high density, white and sub-angular. Locally white / light brown with a trace of light brown clay.	2.40	0.60

ROOTS	Roots were noted between 0.70 - 1.80m bgl.
GROUNDWATER	Groundwater was not encountered during this investigation.

INFILTRATION RATE

Soakaway tests, in accordance with the principles of BRE365, were undertaken at depths from 3.10m bgl – 4.30m bgl (TP1, TP3, TP5 and TP6) within the soils of the 1st River Terrace Deposits, comprising a silty sandy gravelly clay.

No infiltration was recorded and therefore soakaways constructed within the soils of the 1st River Terraced Deposits are **not** likely to perform to a satisfactory standard.

Soakaway Testing (TP1, TP2, TP5 and TP6)				
Trial Hole	Starting Depth (m bgl)	Final Depth (m bgl)	Time Elapsed (mins)	Infiltration Rate (m/sec)
TP1	2.50	2.49	125	0
TP2	2.03	2.01	156	0
TP5	1.82	1.80	154	0
TP6	2.10	2.20	190	0

A soakaway test, in accordance with the principles of BRE365, was undertaken at a depth of 3.00m bg in TP3 within the soils of the Lewes Nodular Chalk Formation, comprising a cream gravelly sandy SILT. No infiltration was noted and therefore the soils of the Lewes Nodular Chalk Formation are also **not** likely to perform to a satisfactory standard.

Soakaway Testing (TP3)				
Trial Hole	Starting Depth	Final Depth	Time Elapsed	Infiltration Rate
TP3	1.10m bgl	1.10m bgl	116 min	0 m/sec

The site was located within a **Secondary A Aquifer** relating to superficial deposits of the River Terrace Deposits, beneath a **Principal Aquifer** comprising the bedrock deposits of Lewes Nodular Chalk Formation is present.

Examination of the Environment Agency records showed that the site **was not** located within a **Groundwater Source Protection Zone** as classified in the Policy and Practice for the Protection of Groundwater.

Consultation with the Environment Agency must be sought regarding any use that may have an impact on groundwater resources.

ANTICIPATED VOLUME CHANGE POTENTIAL

RIVER TERRACE DEPOSITS: Likely to have moderate to high volume change potential.

LEWES NODULAR CHALK FORMATION: Likely to have no volume change potential.

All in accordance with NHBC Standards Chapter 4.2 and BRE240. Subject to confirmation of results of geotechnical classification testing.

FOUNDATION RECOMMENDATIONS

At the time of reporting, June 2016, it is our understanding that the proposed development will incorporate the retention of the existing property and construction of 6No. detached properties with gardens in the surrounding grounds. Ancillary structures, such as site access, parking areas and private gardens will also be formed.

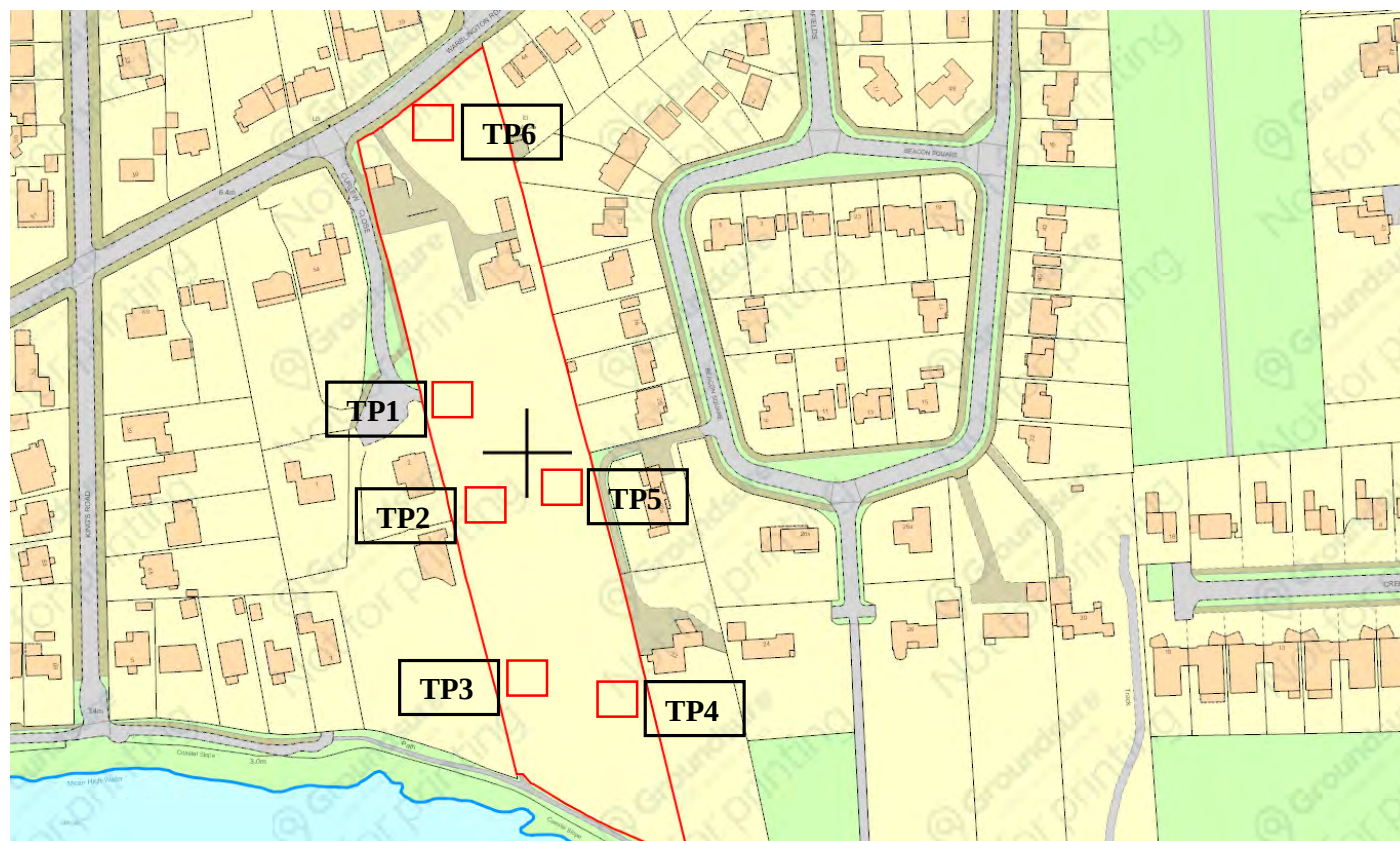
Foundations must not be placed within cohesive root penetrated and/or desiccated soils and the influence of the trees surrounding the site must be taken into account. The base of foundation excavations must extend at least 300mm into non-root penetrated soils. Should trees be removed from footprint of proposed development then a piled foundation should be considered.

Roots were generally noted ranging between 0.70 - 1.80m bgl, foundations minimum foundations depths rare likely to range from 1.00 - 2.10m bgl into the River Terrace Deposits.

Foundations constructed on the River Terrace Deposits at 1.00m bgl can be designed based on a presumed safe bearing capacity of 75kN/m², increasing to 100kN/m² at 2.10m bgl. This is based on trial hole records, inspection of samples recovered, geotechnical laboratory results, and referral to BS 8004:1986, Code of Practice for Foundations, the results of the insitu testing, and based on a 5m long by 1.0m wide foundation and a maximum settlement of ~25mm.

Given that the cohesive soils of the 1st River Terrace Deposits are likely to have a volume change potential in accordance with BRE Digest 240 and NHBC Chapter 4.2, a suspended slab should be considered. The volume change potential of the shallow surface soils must be taken into account in final design (underfloor void diameter/compressible material/void formers etc).

This preliminary information may be subject to amendment in the final report and no liability can be accepted for any actions based on this preliminary information.



NOT TO SCALE

Project:

Fowley Cottage, 46 Warblington Road, Emsworth, Hampshire PO10 7HD

Client:

Charles Glanville c/o Re-Format Limited

Date:

July 2016

Trial Hole Location Plan

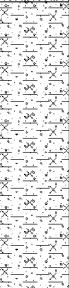
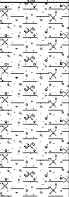
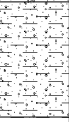
Ref:

GWPR1704

Figure 1

ground&water

Ground and Water Ltd						Trialpit No TP1 Sheet 1 of 1	
Project Name Fowley Cottage			Project No. GWPR1704		Co-ords: - Level: -		Date 20/06/2016
Location: 46 Warblington Road, Emsworth, Hampshire PO10 7HD					Dimensions: - Depth 4.30m		Scale 1:25 Logged By JL
Client: Charles Glanville c/o Re-Format Ltd							

Samples & In Situ Testing			Depth (m)	Level (m AOD)	Legend	Stratum Description		
Depth (m)	Type	Results						
0.20	D		0.30			TOPSOIL: Mid brown silty sandy gravelly clay. Sand is fine grained. Gravel is rare to occasional, sub-angular to sub-rounded, fine to coarse flint.		
0.50	D					RIVER TERRACE DEPOSITS: Mottled light/mid brown/orange silty sandy gravelly CLAY. Sand is fine grained. Gravel is rare to occasional, fine to medium, sub-angular to sub-rounded flint.		
0.80	D							
1.20	D							
1.50	D		1.30			RIVER TERRACE DEPOSITS: Mottled light brown/orange silty sandy gravelly CLAY. Sand is fine to medium grained. Gravel is abundant, fine, sub-angular to sub-rounded flint and chalk fragments.		
1.80	D							
2.20	D				2.00		RIVER TERRACE DEPOSITS: Mottled light brown/grey/orange silty sandy gravelly CLAY. Sand is fine grained. Gravel is abundant, fine, sub-angular to sub-rounded chalk fragments.	
2.50	D							
2.80	D							
3.00	D		3					
3.40	D							
3.80	D							
4.30	D				3.90		RIVER TERRACE DEPOSITS: Light brown/off white sandy gravelly CLAY. Sand is fine to coarse grained. Gravel is abundant, fine to medium, sub-angular to sub-rounded flint and chalk.	4
						Trialpit Complete at 4.30 m		

Remarks:	Roots noted to 1.80m bgl.
Groundwater:	No groundwater encountered.

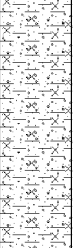
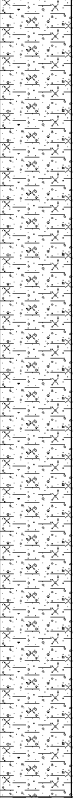


Ground and Water Ltd						Trialpit No TP2 Sheet 1 of 1	
Project Name Fowley Cottage			Project No. GWPR1704		Co-ords: - Level: -		Date 20/06/2016
Location: 46 Warblington Road, Emsworth, Hampshire PO10 7HD					Dimensions: - Depth 3.40m		Scale 1:25
Client: Charles Glanville c/o Re-Format Ltd							Logged By JL
Samples & In Situ Testing			Depth (m)	Level (m AOD)	Legend	Stratum Description	
Depth (m)	Type	Results					
0.20	D		0.30			TOPSOIL: Mid brown silty sandy gravelly clay. Sand is fine grained. Gravel is rare, sub-angular to sub-rounded, fine to coarse flint.	1
0.50	D					RIVER TERRACE DEPOSITS: Mottled light brown/orange silty sandy gravelly CLAY. Sand is fine grained. Gravel is rare, fine to medium, sub-angular to sub-rounded flint.	
0.80	D						
1.20	D		1.30			RIVER TERRACE DEPOSITS: Mottled light brown/orange silty sandy gravelly CLAY. Sand is fine to medium grained. Gravel is abundant, fine, sub-angular to sub-rounded flint and chalk.	2
1.50	D						
1.80	D						
2.20	D		2.10			RIVER TERRACE DEPOSITS: Light brown/orange/grey silty sandy gravelly CLAY. Sand is fine grained. Gravel is abundant, fine to medium, sub-angular to sub-rounded flint and chalk.	3
2.50	D						
2.80	D						
3.40	D		3.40			Trialpit Complete at 3.40 m	4
Remarks: Roots noted to 0.80m bgl							
Groundwater: No groundwater encountered.							

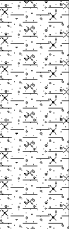


Ground and Water Ltd						Trialpit No TP4 Sheet 1 of 1	
Project Name Fowley Cottage			Project No. GWPR1704		Co-ords: - Level: -		Date 20/06/2016
Location: 46 Warblington Road, Emsworth, Hampshire PO10 7HD					Dimensions: - Depth 3.10m		Scale 1:25
Client: Charles Glanville c/o Re-Format Ltd					Logged By JL		
Samples & In Situ Testing			Depth (m)	Level (m AOD)	Legend	Stratum Description	
Depth (m)	Type	Results					
0.15	D		0.15			TOPSOIL: Mid brown silty sandy gravelly clay. Sand is fine grained. Gravel is rare, fine to coarse, sub-angular to sub-rounded flint.	
0.30	D					RIVER TERRACE DEPOSITS: Light brown/mid-brown/orange silty sandy gravelly CLAY. Sand is fine grained. Gravel is rare to occasional, fine to medium, sub-angular to sub-rounded flint.	
0.90	D		1.70				1
1.20	D						
1.50	D						
1.80	D		2.10			RIVER TERRACE DEPOSITS: Light brown/orange silty sandy gravelly CLAY. Sand is fine to medium grained. Gravel is abundant, fine, sub-angular to sub-rounded flint and chalk.	2
2.20	D					RIVER TERRACE DEPOSITS: Light brown/orange silty sandy gravelly CLAY. Sand is fine grained. Gravel is abundant, fine to coarse, flint and chalk.	
2.50	D		2.90				3
3.00	D					RIVER TERRACE DEPOSITS: Light grey/off white sandy gravelly CLAY. Sand is fine to coarse grained. Gravel is abundant, sub-angular to sub-rounded, fine to coarse flint and chalk.	
						Trialpit Complete at 3.10 m	
Remarks: Roots noted to 1.00m bgl.							
Groundwater: No groundwater encountered.							



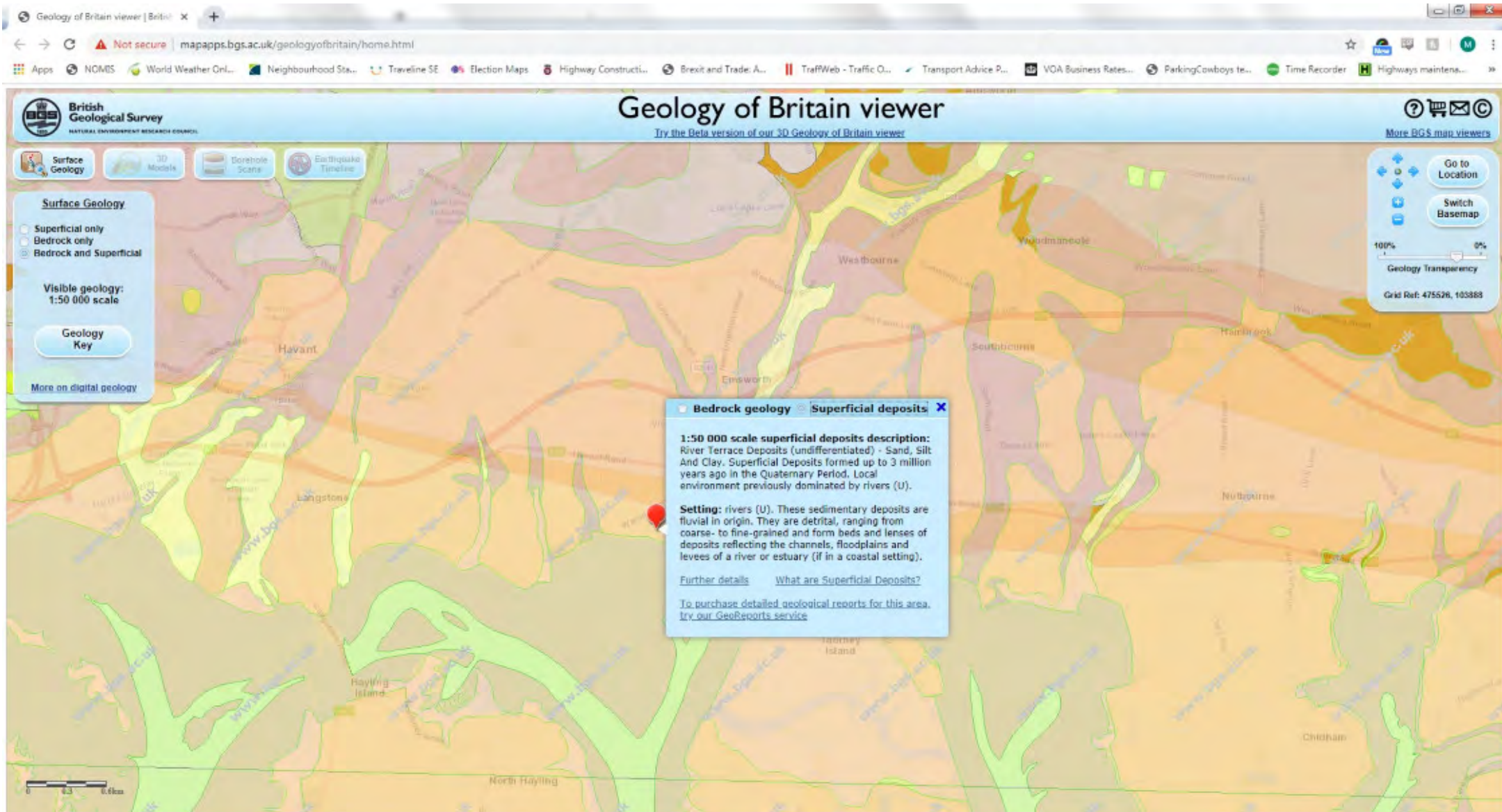
Ground and Water Ltd						Trialpit No TP5 Sheet 1 of 1	
Project Name Fowley Cottage			Project No. GWPR1704		Co-ords: - Level: -		Date 20/06/2016
Location: 46 Warblington Road, Emsworth, Hampshire PO10 7HD					Dimensions: - Depth 3.90m		Scale 1:25
Client: Charles Glanville c/o Re-Format Ltd							Logged By JL
Samples & In Situ Testing			Depth (m)	Level (m AOD)	Legend	Stratum Description	
Depth (m)	Type	Results					
0.20	D		0.20			TOPSOIL: Mid brown silty sandy gravelly clay. Sand is fine grained. Gravel is rare, fine to medium, sub-angular to sub-rounded flint.	
0.50	D					RIVER TERRACE DEPOSITS: Mid brown/orange silty sandy gravelly CLAY. Sand is fine grained. Gravel is rare, fine to medium, sub-angular to sub-rounded flint.	
0.80	D						
1.20	D		1.10			RIVER TERRACE DEPOSITS: Light brown/orange/grey silty sandy gravelly CLAY. Sand is fine to medium grained. Gravel is abundant, fine to coarse, sub-angular to sub-rounded flint and chalk. Coarse chalk fragments noted from 2.40m bgl.	
1.50	D						
1.80	D						
2.20	D						
2.70	D						
3.40	D						
3.80	D		3.90				
						Trialpit Complete at 3.90 m	
Remarks: Roots to 1.30m bgl.							
Groundwater: No groundwater encountered.							

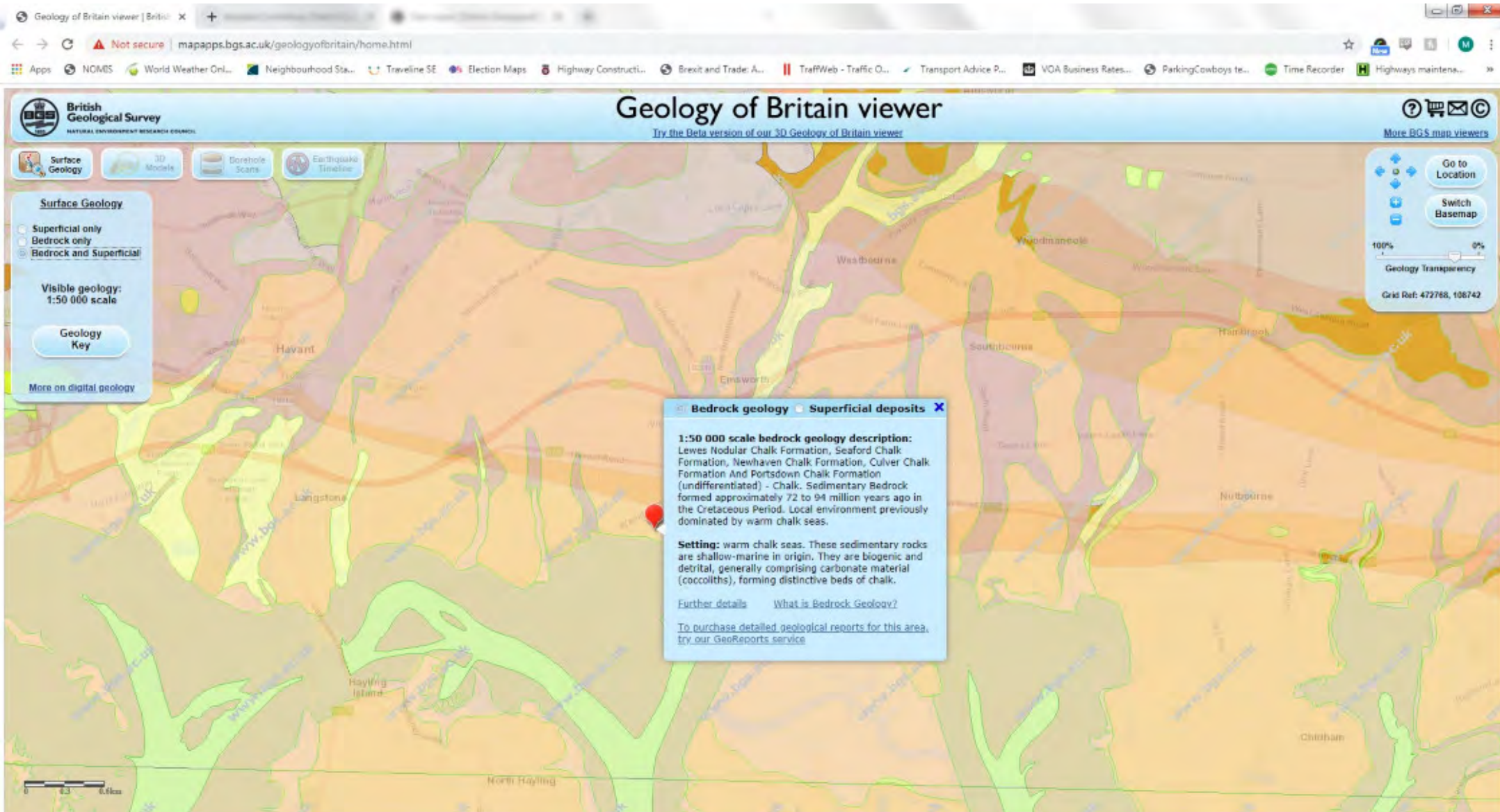


Ground and Water Ltd						Trialpit No TP6 Sheet 1 of 1	
Project Name Fowley Cottage			Project No. GWPR1704		Co-ords: - Level: -		Date 20/06/2016
Location: 46 Warblington Road, Emsworth, Hampshire PO10 7HD					Dimensions: - Depth 3.70m		Scale 1:25 Logged By JL
Client: Charles Glanville c/o Re-Format Ltd							
Samples & In Situ Testing			Depth (m)	Level (m AOD)	Legend	Stratum Description	
Depth (m)	Type	Results					
0.20	D		0.20			TOPSOIL: Mid to dark brown silty sandy gravelly clay. Sand is fine grained. Gravel is rare, fine to coarse, sub-angular to sub-rounded flint.	
0.50	D					MADE GROUND: Light brown silty sandy gravelly clay. Sand is fine to medium grained. Gravel is fine to abundant, angular to sub-rounded, fine to coarse flint, chalk and brick.	
0.80	D		0.80			RIVER TERRACE DEPOSITS: Mottled light brown/orange silty sandy gravelly CLAY. Sand is fine to medium grained. Gravel is abundant, fine to medium, sub-angular to sub-rounded flint and chalk.	1
1.20	D						
1.50	D						
1.80	D						2
2.20	D						
2.70	D						
			2.90				
3.20	D					RIVER TERRACE DEPOSITS: Mottled light brown/orange silty sandy gravelly CLAY. Sand is fine grained. Gravel is abundant, sub-angular to sub-rounded, fine to medium chalk and flint.	3
3.70	D		3.70				
						Trialpit Complete at 3.70 m	
						4	
Remarks: Roots noted to 1.80m bgl.							
Groundwater: No groundwater encountered.							



APPENDIX 3





APPENDIX 4

Calculated by:

Site name:

Site location:

Site coordinates

Latitude:

Longitude:

This is an estimation of the green eld runoff rate limits that are needed to meet normal best practice criteria in line with Environment Agency guidance "Preliminary rainfall runoff management for developments", W5-074/A/TR1/1 rev. E (2012) and the SuDS Manual, C753 (Ciria, 2015). This information on green eld runoff rates may be the basis for setting consents for the drainage of surface water runoff from sites.

Reference:

Date:

Methodology

IH124

Site characteristics

Total site area (ha)	0.83
----------------------	------

Methodology

Qbar estimation method	Calculate from SPR and SAAR
SPR estimation method	Calculate from SOIL type

	Default	Edited
SOIL type	2	2
HOST class	---	---
SPR/SPRHOST	0.3	0.3

Hydrological characteristics

	Default	Edited
SAAR (mm)	721	721
Hydrological region	7	7
Growth curve factor: 1 year	0.85	0.85
Growth curve factor: 30 year	2.3	2.3
Growth curve factor: 100 year	3.19	3.19

Notes:

(1) Is $Q_{BAR} < 2.0$ l/s/ha?

Normally limiting discharge rates which are less than 2.0 l/s/ha are set at 2.0 l/s/ha.

(2) Are flow rates < 5.0 l/s?

Where flow rates are less than 5.0 l/s consents are usually set at 5.0 l/s if blockage from vegetation and other materials is possible. Lower consent flow rates may be set in which case blockage work must be addressed by using appropriate drainage elements

(3) Is $SPR/SPRHOST \leq 0.3$?

Where groundwater levels are low enough the use of soakaways to avoid discharge offsite may be a requirement for disposal of surface water runoff.

Green eld runoff rates

	Default	Edited
Qbar (l/s)	1.57	1.57
1 in 1 year (l/s)	1.33	1.33
1 in 30 years (l/s)	3.6	3.6
1 in 100 years (l/s)	5	5

APPENDIX 5



Atkins Global
The Hub, 500
Park Avenue
Bristol
BS32 4RZ

Your ref 54886
Our ref 245484
Date 22 May 2017
Contact searches@southernwater.co.uk
Tel 0845 272 0845
0330 303 0276
Fax 01634 844514

Attention: Andrew Aitken

Dear Customer

Re: Provision of public sewer record extract

Location: Site surrounding Warblington Road, Emsworth, PO10 7HD

Thank you for your order regarding the provision of extracts of our sewer and/or water main records. Please find enclosed the extracts from Southern Water's records for the above location.

We confirm payment of your fee in the sum of £49.92 and enclose a VAT receipt for your records.

Customers should be aware that there are areas within our region in which there are neither sewers nor water mains. Similarly, whilst the enclosed extract may indicate the approximate location of our apparatus in the area of interest, it should not be relied upon as showing that further infrastructure does not exist and may subsequently be found following site investigation. Actual positions of the disclosed (and any undisclosed) infrastructure should therefore be determined on site, because Southern Water does not accept any responsibility for inaccuracy or omission regarding the enclosed plan. Accordingly it should not be considered to be a definitive document.

Should you require any further assistance regarding this matter, please contact the LandSearch team.

Yours faithfully

LandSearch

105739



SU7405SW

Date: 22/05/2017

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474871

SEWER RECORDS PAGE 2 OF 2

Node	Cover	Invert	Size	Material	Shape	Node	Cover	Invert	Size	Material	Shape	Node	Cover	Invert	Size	Material	Shape	Node	Cover	Invert	Size	Material	Shape
0301X	3.761	2.554	300	UNK	CIRC	2350X	3.269	1.749	UNK	CIRC		4652X	6.132	5.232	150	UNK	CIRC	8707Y			UNK	UNK	UNK
0302X			UNK	UNK	CIRC	2401X	5.779	2.487	500	PP	CIRC	4750X	6.436		300	UNK	CIRC	8700X			150	UNK	CIRC
0303X	4.279	2.25	UNK	UNK	CIRC	2402X	6.144		500	PP	CIRC	4752X	6.61		225	UNK	CIRC	8710Y			150	UNK	CIRC
0304X	3.429	2.478	300	UNK	CIRC	2406Y	4.75		300	UNK	CIRC	* 5301X	3.761		300	UNK	CIRC	8750X	3.035		450	UNK	RECT
0350X	4.382	3.312	225	UNK	CIRC	2406X	4.75	2.065	500	PP	CIRC	* 5350X	3.558	2.478	225	UNK	CIRC	9401X			UNK	UNK	CIRC
0351X	4.281		300	UNK	CIRC	2408X	4.61	2.628	500	PP	CIRC	5401X	5.069	3.094	225	UNK	CIRC	9404X			UNK	UNK	CIRC
0352X	3.562	2.652	300	UNK	CIRC	2450X			UNK	UNK	CIRC	5402X	4.721		UNK	UNK	CIRC	9405X			UNK	UNK	CIRC
0354X	2.62	2.17	UNK	UNK	CIRC	2451X	4.8	3.277	500	PP	CIRC	* 5450X	4.82	3.43	225	UNK	CIRC	9450X			225	UNK	CIRC
0401X	5.599	4.229	UNK	UNK	CIRC	2451X	4.8	3.254	300	UNK	CIRC	* 5451X	4.536		225	UNK	CIRC	9550X	4.952	3.512	225	UNK	CIRC
0402X	5.583	4.033	UNK	UNK	CIRC	2452X	4.61	2.796	500	PP	CIRC	5501X	5.974	4.325	150	UNK	CIRC	9551X	4.471	3.701	225	UNK	CIRC
0403X	5.363	3.933	UNK	UNK	CIRC	2501X	6.334		200	UNK	CIRC	5502X	5.63	3.572	225	UNK	CIRC	9552X	4.469	3.619	225	UNK	CIRC
0404X	5.397	3.907	150	UNK	CIRC	2502X			100	VC	CIRC	5520X			150	UNK	CIRC	9554X	4.054	3.478	225	UNK	CIRC
0405X	4.398	3.258	150	UNK	CIRC	2500X			200	UNK	CIRC	5550X	6.155	5.055	150	UNK	CIRC	9555X	4.368		225	UNK	CIRC
0406X			UNK	UNK	CIRC	2550X	6.489	4.519	225	UNK	CIRC	5551X	5.922	4.792	150	UNK	CIRC	9601X			UNK	UNK	CIRC
0407X			UNK	UNK	CIRC	2551X	6.244		300	UNK	CIRC	5552X	5.777	4.387	150	UNK	CIRC	9602X			UNK	UNK	CIRC
0408X			UNK	UNK	CIRC	2601X	6.507	5.09	200	UNK	CIRC	5553X	5.624		225	UNK	CIRC	9603X			UNK	UNK	CIRC
0450X	4.919	3.109	150	UNK	CIRC	2601X	6.507		200	UNK	CIRC	* 5552X			225	UNK	CIRC	9604Y			UNK	UNK	CIRC
0451X	5.558	4.518	225	UNK	CIRC	2602X			150	VC	CIRC	5601X	5.352	4.59	150	UNK	CIRC	9605X			150	UNK	CIRC
0452X	5.642	4.362	225	UNK	CIRC	2603X			150	VC	CIRC	5650X	5.568		450	UNK	CIRC	9606X			150	UNK	CIRC
0453X	5.758		225	UNK	CIRC	263DX			150	VC	CIRC	5651X	4.815	3.935	450	UNK	CIRC	9650X			225	UNK	CIRC
0454X	5.33	4.18	UNK	UNK	CIRC	2640X			150	VC	CIRC	5652X	5.352	4.812	150	UNK	CIRC	9651X	5.669	4.109	225	UNK	CIRC
0455X	4.635	3.835	225	UNK	CIRC	2650X	6.516	4.916	UNK	UNK	CIRC	5653X	5.902	4.602	150	UNK	CIRC	9652X			225	UNK	CIRC
0456X	4.379	3.409	225	UNK	CIRC	2701Y	6.571	4.596	225	UNK	CIRC	5652X			450	UNK	CIRC	9703X			150	UNK	CIRC
0501X	5.7	4.15	150	UNK	CIRC	2702X	6.958		225	UNK	CIRC	5702X			150	PF	CIRC	9704X			150	UNK	CIRC
0502X	5.61	3.99	150	UNK	CIRC	270DX			225	UNK	CIRC	5703X			150	PF	CIRC						
0503X	5.69	3.84	UNK	UNK	CIRC	271DX			225	UNK	CIRC	5750X	5.196	4.536	225	UNK	CIRC						
0504X	5.55	3.77	150	UNK	CIRC	2751X	6.938	6.288	225	UNK	CIRC	5751X	5.608	4.308	375	UNK	CIRC						
0505X	5.865	4.565	UNK	UNK	CIRC	2752X	7.156	5.876	150	UNK	CIRC	5752X	5.231		225	UNK	CIRC	*					
0506X	5.785	4.335	UNK	UNK	CIRC	2753X	6.541	5.301	225	UNK	CIRC	5752Y	5.231		150	UNK	CIRC	*					
0507X	5.525	4.205	150	UNK	CIRC	3401X	4.596	1.694	300	UNK	CIRC	5752X			375	UNK	CIRC						
0508X			UNK	UNK	CIRC	3450X			450	UNK	CIRC	6301X	3.529	0.884	300	UNK	CIRC						
0509X			UNK	UNK	CIRC	3451X			450	UNK	CIRC	6401X			UNK	UNK	CIRC						
0550X	5.994		225	UNK	CIRC	3501X	6.489	4.413	225	UNK	CIRC	6402X			UNK	UNK	CIRC						
0551X	5.826	4.816	225	UNK	CIRC	3502X			UNK	VC	CIRC	6403X			UNK	UNK	CIRC						
0552X			150	UNK	CIRC	3503X			225	UNK	CIRC	640DX			UNK	UNK	CIRC						
0601X			UNK	UNK	CIRC	3550X		4.998	225	UNK	CIRC	6601X			UNK	UNK	CIRC						
0602X			100	VC	CIRC	3551Z	6.56	5.36	225	CO	CIRC	* 6603X			UNK	PF	CIRC						
060DX			100	VC	CIRC	3551Y	6.56	5.36	225	CO	CIRC	* 6604X			UNK	PF	CIRC						
061DX			100	VC	CIRC	3551X	6.56	5.36	300	CO	CIRC	*											
063DX			UNK	UNK	CIRC	3552Y	6.564		450	UNK	CIRC	6651X	3.287	2.291	225	UNK	CIRC						
0650X	6.35	5.52	150	UNK	CIRC	3553Y	6.477		225	UNK	CIRC	6652X			375	UNK	CIRC						
0651X	5.81	5.2	150	UNK	CIRC	3554X	6.693		150	UNK	CIRC	7201X	3.017	1.493	UNK	UNK	CIRC						
0752X	7.642	6.382	225	UNK	CIRC	3555X			375	CO	CIRC	7301X	2.975	0.637	300	UNK	CIRC						
1301X	4.514	2.39	300	UNK	CIRC	3601X	6.431	5.294	150	UNK	CIRC	7301X			150	UNK	CIRC						
1302X	4.803	3.514	225	UNK	CIRC	3650Y	6.546		300	CO	CIRC	* 7401X	2.929	0.515	300	UNK	CIRC						
1401Y	5.443	2.649	300	PVC	CIRC	3650X	6.546	6.046	300	CO	CIRC	*			300	UNK	CIRC						
1401Y	5.443		300	UNK	CIRC	* 3651X	6.364	5.544	225	UNK	CIRC	* 7502X	3.006	0.283	300	UNK	CIRC						
1401X	5.443	3.58	300	PVC	CIRC	* 3652X			375	CO	CIRC	7503X			UNK	UNK	CIRC						
1450X	5.445	4.195	UNK	UNK	CIRC	3653X	6.529		375	CO	CIRC	7504X			100	VC	CIRC						
1451X	5.095	3.875	225	UNK	CIRC	3654X			375	CO	CIRC	750DX			300	UNK	CIRC						
1501X	6.431	3.222	225	UNK	CIRC	3701X	6.495		UNK	CIRC	CIRC	7601X			225	UNK	CIRC						
1502X	6.15		225	UNK	CIRC	3751X	6.517	5.867	150	UNK	CIRC	7602X			UNK	UNK	CIRC						
1503X	6.343	5.083	150	UNK	CIRC	3753X			300	CO	CIRC	7603X			UNK	UNK	CIRC						
1504X	6.047	2.972	300	UNK	CIRC	4301X			UNK	UNK	CIRC	7604X			UNK	UNK	CIRC						
1550X	6.391	5.741	225	UNK	CIRC	430DX			300	UNK	CIRC	7650X			UNK	UNK	CIRC						
1551X	5.993	4.683	225	UNK	CIRC	4401X	4.88	3.612	UNK	UNK	CIRC	7650X	3.005	2.245	225	UNK	CIRC						
1552X	6.366	5.156	225	UNK	CIRC	4402X			UNK	UNK	CIRC	7651X	3.082	2.182	375	UNK	CIRC						
1601X	6.849		225	UNK	CIRC	4450X	5.677	4.447	225	UNK	CIRC	7701X	3.017	0.384	UNK	UNK	CIRC						
1650X	6.95	6	225	UNK	CIRC	4501X	6.443	5.108	150	UNK	CIRC	8501X	3.02		375	UNK	CIRC						
1702X	7.45		225	UNK	CIRC	4502X	5.806	4.017	225	UNK	CIRC	8502X	3.17		375	UNK	CIRC						
1751X	7.432	6.292	300	UNK	CIRC	4503X			225	UNK	CIRC	8601X	3.152	1.079	UNK	UNK	CIRC						
2301X			300	UNK	CIRC	4550X	5.677		225	UNK	CIRC	8703X	6.139	3.944	150	UNK	CIRC						
2302Y	3.304	2.249	UNK	UNK	CIRC	* 4601X	6.114	4.968	150	UNK	CIRC	8704X	3.17		200	UNK	CIRC						
2302X	3.304	2.249	300	UNK	CIRC	* 4650X	6.503		225	UNK	CIRC	8705X			UNK	UNK	CIRC						
2303X	4.048	2.35	300	UNK	CIRC	4651Y	5.818		225	UNK	CIRC	8706X			150	UNK	CIRC						

LINE STYLES / COLOURS

Brown	--- Full
Red	--- Full Siphon Sewer
	--- Full Vacuum Main
	--- Full Rising Main
	--- Combined
	--- Combined Siphon Sewer
	--- Combined Rising Main
	--- Lateral Drain
Orange	--- Existing Over Agreement Area
Dark Blue	--- Treated Effluent
Purple	--- Sludge
	--- Sewer Catchment
	--- Section 104 Area
Light Blue	--- Surface Water
	--- Surface Water Rising Main
Yellow	--- Private
Green	--- Access Shaft
	--- Decommissioned

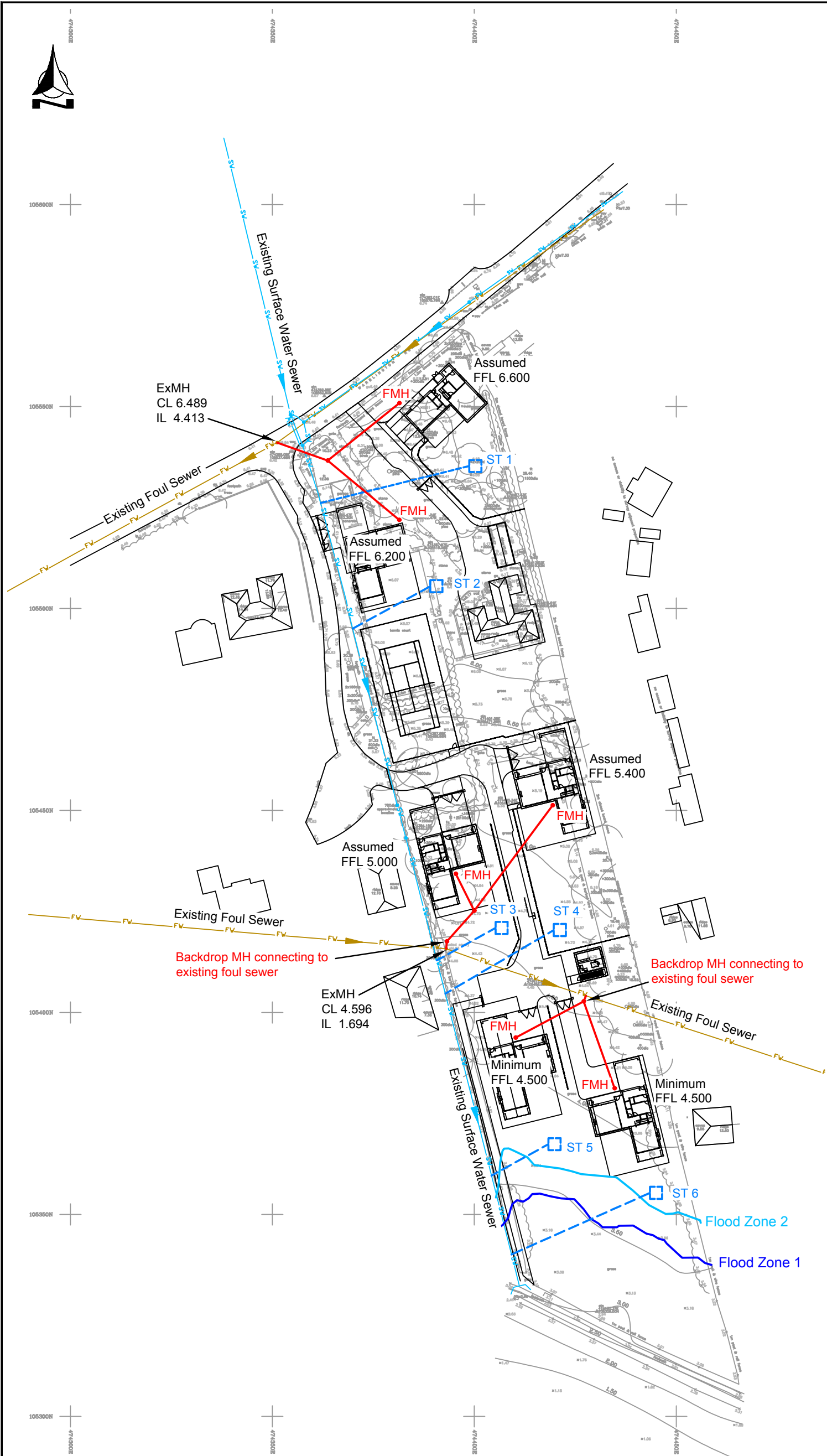
MATERIALS

AK	Asph/Flt
BAC	Bonded Asbestos Cement
BBC	Bulk Bitumen
BEC	Bulk Enamel
CC	Concrete Box Culvert
CD	Cast Iron
CC	Concrete (Pre-Cast)
CC	Concrete (In-Situ)
CC	Concrete Segments (Reinforced)
CC	Concrete Segments (Unreinforced)
CC	Ductile Iron
CC	GRP Glass Reinforced Concrete
CC	GRP Glass Reinforced Plastic
CC	Masonry in regular Courses
CC	Masonry in random Courses
CC	PP Polypropylene
CC	PVC Polyvinyl Chloride
CC	Reinforced Plastic Main
CC	Steel
CC	Unreinforced Plastic Main
CC	Other
CC	Unknown

LEGEND - SEWERS

	M
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	LH
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APPENDIX 6



Notes

This drawing shall be read in conjunction with all other relevant Engineering, Architectural, Landscaping details, drawings and specifications and all relevant Highway Authority Plans.

Any works constructed prior to technical approval are at the contractors own risk.

All levels to be checked prior to any works undertaken. Existing surface water sewer along Warblington Road to be identified to ensure new proposed foul sewer doesn't conflict with any existing pipes.

Drainage calculations for soak-aways to Digest 365 have been undertaken by Ground & Water which has indicated that the existing ground make up is unsuitable for any type of infiltration.

Storage tanks for all plots have been calculated using Microdrainage and are designed to 1 in 100 yr storm plus 40% for climate change and discharge into the nearby existing surface water sewer controlled via a hydro-brake, restricted to 2.0l/s

ST 1 dimensions are 1.5m x 1.5m x 1.5m deep
ST 2-6 dimensions are 2m x 2m x 1.75m deep

B	FFLs updated	ARM	MT
A	Drawing updated following ground and water investigation report	JCB	MT
REVISION	AMENDMENT	DRN	CHK

Clover House
Western Lane
Odiham
Hampshire, RG29 1TU

Tel: 01256 703355
Email: info@bellamyroberts.co.uk

CLIENT
Premier Coastal Properties Ltd.

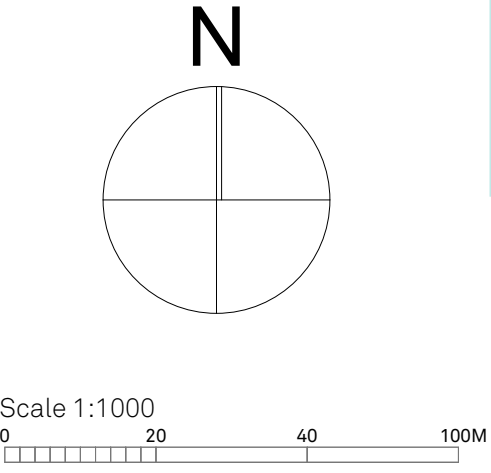
PROJECT
Warblington Road, Emsworth

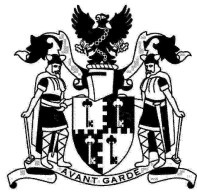
TITLE
Foul and Surface Water Drainage Strategy

DRAWN BY JCB	DESIGN BY JCB	CHK BY MT
DATE 30/05/19	DRAWING No. 5042 / 004	REV No. B
SCALE 1:1000 @ A2		



Density of surrounding area = 10.35 dph
173 dwellings, 16.7 hectares





Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263

www.havant.gov.uk

Mr M Swanton

Our Ref: GEN/16/01103
Direct Line: (023) 9244 6513
Ask For: Mrs D Haywood
Email: planning.development@havant.gov.uk

17 November 2016

Site Location: Fowley Cottage, 46 Warblington Road, Emsworth, PO10 7HH

Re: Proposal for 6 new dwellings and refurbishment of existing property.

Dear Mr Swanton

I am writing to you further to your enquiry received on the 07 October 2016 and our meeting of the 7 November 2016.

Site description and Proposal

The site lies within the built up area of Emsworth and comprises a large detached dwelling set in substantial grounds, backing on the harbour. The area is primarily residential in character comprising mainly detached two storey dwellings set in landscaped gardens. There are a number of trees on the site, some of which are covered by a tree preservation order.

Outline planning permission renewal and now lapsed to construct 7 dwellings on the site was granted in December 2001 (ref 01/516000/005).

The proposal is to retain the existing dwelling and construct 6 further dwellings, 2 on the Warblington Road frontage and 4 in the rear garden area. The scheme is at an early stage, although a layout plan and different design approaches have been submitted for consideration.

Principle of development

The Local Plan (Core Strategy) and the Local Plan (Allocations) provide the development plan for the Borough. The proposal lies within the urban area and is consistent with policy CS17 which seeks to concentrate new housing within the five urban areas, including Emsworth.

The impact on the character and appearance of the area

The site is located within Landscape Character Area 25 (LCA 25 – Emsworth Western Suburbs) within the Havant Borough Townscape, Landscape and Seascape Character Assessment (HBTLSA).

It is acknowledge the site exists within a developed area, but that guidance does make reference to

- Proposals require appropriateness to the Chichester Harbour AONB context
- Preservation of the special character of the Warblington Road streetscape

The southern site boundary directly abuts the Chichester Harbour AONB (& extent of the SSSI)and :

- A restrained approach to external lighting is encouraged. Discrete and functional low level fittings would benefit subtle wayfinding with minimal light spill / pollution. Please be advised that up-lighting or Light 'washing' of architectural facades would be deemed wholly inappropriate.

- A similarly restrained approach for glazing arrangement is also encouraged. Initial visuals that indicate recessed façade glazing are deemed positive.
- Retention of the existing boundary treatment along the southern boundary (including the split-rail timber fencing) for consistency with the adjacent properties is desirable.
- Preservation of the open landscape character to the southern part of the site will help to mitigate long distance views from the harbour and reduce the impact on the adjacent coastal path.
- Careful orientation of built-form to promote views through the site would be deemed beneficial.
- Enhancement of vegetation along the eastern and western site boundary will be of benefit to help mitigate oblique views from the south-east and south-west.

Comments on the layout/design

At the meeting it was identified that the proposed layout for the two southern plots may require some further review in relation to flood risk, and the placement relative to existing adjacent dwellings from a landscape perspective. I understand that your Consultant will deal direct with the Environment Agency regarding development within Flood Zone 2.

There are no adverse comments regarding the proposed retention of the existing dwelling, but it is recommended that renovation proposals demonstrate a clear coordinated design approach with the proposed built-form.

The arrangement of proposed built-form to the Warblington Road site frontage will require appropriate visuals to demonstrate appropriateness of scale, placement and appearance to the street-scene character. The issue of front / rear facing placement of dwellings requires careful consideration. It is also recommended that visuals incorporate neighbouring adjacent buildings for ease of comparison.

In terms of the architectural context, the immediate locality comprises a broad and ranging mix of architectural styles (most notably in glazing arrangements), but in the main this comprises a predominance of two storey dwellings with pitched roofscapes. In this context the proposed pitched roof option is more appropriate. However, there are concerns regarding the images within the pre-application submission package owing to an excessively 'vertical' emphasis – vertical board cladding accentuated by the elevated eaves height and roof pitch above recessed glazing. The balance between glazing, cladding, eaves and roof pitch requires careful consideration.

Timber cladding is deemed appropriate but the colour / treatment is likely to require further demonstration. Initial sketch visuals comprising over-developed garden areas with multiple pools and excessive hardscaped terracing are not deemed appropriate to context, and I understand that this is no longer proposed.

The application site includes numerous trees of substantial size and some with Preservation Orders. The tabled layout includes proposed built-form within or in close proximity to 'Root Protection Areas'. Hence, in addition to the Arboricultural Survey, an Arboricultural Impact Assessment with site-specific method statements for any proposed encroachment of tree 'Root Protection Areas' to the satisfaction of the HBC Arboricultural Officer is required.

The extent of tree retention, combined with proposals for additional tree planting and use of hedging for a softened site division of plots is important and welcomed.

The potential use of Curlew Close as the means of site access is positive, but an access strategy for servicing / waste collection / emergency vehicular access will need to be demonstrated by appropriate tracking. Gravel surfacing for plot driveways and associated access is deemed appropriate, but I emphasise a requirement for appropriate specification of gravel type / size, sub-base build up specification and a quality edging restraint to prevent

unwanted transfer of loose material by manoeuvring vehicles. Pedestrian approaches closer to individual dwelling entrances are likely to benefit from a suitable paved treatment of an appropriately co-ordinated material to prevent transfer of gravel and assist any resident or visitor with movement disabilities.

The impact on neighbours residential amenities

The impact of the development has not at this stage been assessed from the adjacent properties. The layout indicates development in proximity to the site boundaries and it will be necessary to ensure that adequate separation is provided to prevent loss of light and outlook. I would refer you to the Borough Design Guide as any proposal would be assessed in accordance with this document.

Borough Design Guide:-

<http://www.havant.gov.uk/sites/default/files/documents/SPD%20Borough%20Design%20Guide.pdf>

Drainage and flood risk

A drainage strategy and a flood risk assessment will be required and your attention is drawn to Policy DM25 of the Allocations Plan which states:

Policy DM25 Managing Flood Risk in Emsworth

Planning permission will be granted for developments within the Emsworth urban area boundary that can demonstrate how post development runoff has been reduced by the greatest percentage rates and volumes that are possible in the context of cost, technical feasibility and viability. Extensions to existing houses and change of use are exempt from the requirements of this policy. Planning permission will be granted for developments within the Emsworth urban area boundary of greater than 1 hectare and in Flood Zones 2 and 3 that are supported by onsite sustainable drainage systems.

New developments that fall within the Emsworth urban area boundary; and/or has an impact on the flood risk of the areas within the Emsworth urban area boundary may be required to make a contribution towards the Emsworth Flood Alleviation Scheme (FAS)

The Drainage Engineer has advised that the easement for surface water sewer running along western boundary will affect locations of units 2, 4 and 6. Easement for foul sewer crossing site east to west will affect locations of units 1 and 2. You will need to confirm easement requirements with Southern Water.

Highways

The Highway Authority has no adverse comment to the principle of this application. However four of the proposed properties are taking access from Curlew Close which is not adopted highway and therefore permission will be required from the owner(s) of the road. Curlew Close has no street lighting or footway and appears to be only 4.5 metres. The proposal shows a total of 8 houses taking access from this road and for this number I would expect a width of 4.8 m, street lighting and a footway.

As discussed at our meeting taking access off Curlew Close has the advantage of minimising the impact on protected trees, and is the preferred approach subject to satisfactory highway provision. Depending on clarification of the width of Curlew Close further discussion on this matter may be required.

Developer contributions/Community Infrastructure Levy

From the 30th June 2014, the Council introduced the Solent Recreation Mitigation Partnership. The SRMP was introduced with the advice of Natural England and they have

advised that a contribution of £176 per dwelling will be required to mitigate against the effects of recreational disturbance on the Solent Special Protection Area (SPA).

The contribution will be applied to all new development of one or more dwellings. The Council has agreed two ways of securing the contribution:

- 1) Up front payment prior to commencement of development - this is usually only be used for development of 1 to 4 dwellings
- 2) Section 106 legal obligation (this is usually used for applications of 5 or more dwellings, where there may be additional contributions payable).

For both options, administration and monitoring fees will be added. Further details can be provided on request

The proposed development would be subject to the Community Infrastructure Levy details of which are available on the Council's website:

<http://www.havant.gov.uk/planning-policy-design/community-infrastructure-levy>

The relevant contribution level for this site would be £100 per square metre of new residential floorspace. CIL Liability is subject to indexation, based on the BCIS index. If planning permission were issued this year it would be indexed linked to 2016 from a base year of 2013 and an increase of approximately 20.04% will apply.

If a Sustainable Urban Drainage system is proposed then the details of, and future management of that system, may need to form part of a S106 agreement along with any general future maintenance and management of the common parts of the site.

As discussed at our meeting the floorspace of the proposal exceeds the threshold for affordable housing set out in Policy CS9. I am awaiting guidance on the details of the requirements from the Housing Officer and will update when received.

Summary

In conclusion the principle of development is supported as a site in the urban area however further information is required regarding the impact on the adjacent trees, flood risk and access road to inform the siting and extent of development. Additionally as discussed at our meeting the design needs to be the subject of further consideration. I hope this response is of assistance and should you wish to discuss the proposal then please contact me.

Please note that the above comments are the opinion of individual Planning Officers and are in no way binding upon the Council when determining any future applications for planning permission and nor will they prejudice the outcome of any applications submitted.

This advice also only relates to planning matters, and does not relate to any other application that may be required under Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 02392 446571

Validation Requirements

In order to validate and consider any subsequent application, I consider that the following documents/assessments are necessary;

Design, Access and Planning Statement
Affordable Housing Statement
Biodiversity/ Ecological Assessment
Community Infrastructure Levy (CIL) Forms

Foul Sewage and Utility Assessment
Landscaping and Visual Impact Assessment
Tree Survey / Arboricultural Implications
Flood Risk Assessment
Drainage Strategy.

Yours faithfully

Mrs D Haywood
Principal Planner
Our Ref: GEN/16/01103

PLANNING APPLICATION RESPONSE OF PLANNING POLICY

Application No:	APP/19/00623
Site Address:	Fowley Cottage, 46 Warblington Road, Emsworth, PO10 7HH
Development:	Retain the existing 'Fowley Cottage' dwelling and construction of 6No. 5 bed detached dwellings, two on the Warblington Road frontage and four to the rear garden area. Access to Plot 5 to be taken off Warblington Road, access to Plots 1-4 and 6 to be taken off Curlew Close
Case Officer:	Daphney Haywood
Comments by:	Jade Ellis
Date of Comments:	18 October 2019

Policy Status:

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the [Hampshire Minerals and Waste Plan](#), provide the development plan for the borough. The [Pre-submission Havant Borough Local Plan 2036](#) (HBLP 2036) was approved by the Council on 30 January 2019 and can be afforded limited weight.

In addition, the [Emsworth Neighbourhood Plan \(ENP\)](#) has reached an advanced stage of preparation, and was submitted to the Local Planning Authority in April 2019. It therefore also carries limited weight in decision making.

The following policies are of particular relevance:

- CS8 – Community Safety
- CS9 – Housing
- CS16 – High Quality Design
- CS17 – Concentration and Distribution of Development within the Urban Areas
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM8 – Coordination of Development
- DM10 – Pollution
- DM13 – Car and Cycle Parking in Residential Development
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements

In the Pre-submission Plan the following policies are of particular relevance:

- E1 | High quality design
- E2 | Health and wellbeing
- E3 | Landscape and settlement boundaries
- E11 | Sports and recreation
- H1 | High quality new homes
- H3 | Housing density
- E1 | High quality design
- IN1 | Effective provision of infrastructure
- IN3 | Transport and parking in new development
- E22 | Amenity and pollution

- H13 | Fowley Cottage

The following policies from the Emsworth Neighbourhood Plan are also of relevance:

- 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
- L1 – General Housing Policy
- L2 – Housing Mix
- WF1 – Public Enjoyment of the Waterfront

Principle of Development:

The site lies within the urban area as defined by Policies CS17 and AL2 of the adopted local plan and emerging E3 of the Pre-Submission Local Plan. Policy CS17 caveats that development will be acceptable within the five urban areas of the Borough where it *makes the most effective use of land*. The policy also prioritises previously developed land or underused land or buildings within the urban area. Therefore, development is supported in principle where it can be shown it will make the most effective use of land, subject to other relevant considerations. The acceptability of the principle of development therefore hinges on whether it makes an effective use of land.

The site is allocated for about 40 dwellings under Policy H13 in the emerging Local Plan which can be afforded limited weight at this stage. However, the application proposals seek to provide a significantly reduced quantum of development..

For the purposes of Policy H3 (Housing Density) which is considered in further detail below, residential density is taken as dwellings per hectare across the net developable area. Figure 1 of the [Residential Density Evidence Paper](#) indicates the development elements should be included for gross and net area calculations. In the case of the latter “any significant buffer areas required for landscape, ecological or infrastructure such as underground pipes” should be excluded. It is considered that retained trees and the necessary buffers and root protection zones would qualify within that definition.

For allocations in the Pre-Submission Plan, yields were calculated using the net developable area considering any high-level mappable constraints including access, ground conditions, flood risk and contamination. In this case, the Flood Zones 2 and 3 affecting the southern part of the site were taken into account, reducing the net developable area to approximately 1ha. The site yield would have calculated by applying 40dph across the entire site area accordingly (1ha x 40 dph = 40 dwellings).

Whilst the Pre-Submission Plan anticipates the delivery of 40 dwellings, it is acknowledged the site capacities of allocations are set at ‘about’ rather than minimums or maximums. This is because depending on the form of development proposed through a planning application, it could be that different numbers of homes are achieved subject to other relevant policies or material considerations in the Plan.

It should also be noted that the application site area differs from the allocation site in the Pre-Submission Local Plan. The existing house and tennis courts are excluded from the application red line, of which the submitted application form indicates the site has an area of 0.82 ha (when compared to the 1.1 ha site area identified by the allocation).

Housing Density:

National Policy Context

The 2019 NPPF includes a specific section on 'Achieving appropriate densities' which contains guidance on how planning policies and decisions should support development that makes efficient use of land (paragraph 122).

Paragraph 123 of the 2019 NPPF is clear that planning policies and decisions avoid homes being built at low densities and seeks to ensure that developments make optimal use of the potential of each site, especially where there is an existing or anticipated shortage of land for meeting identified housing needs. In such cases, the use of minimum density standards should be considered and as a result are being taken forward through the Havant Borough Local Plan 2036.

In addition, part c) under paragraph 123 indicates that local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. It is noted this represents a step change from the 2012 NPPF which did not include a specific section on 'Achieving appropriate densities' (paragraphs 122-123).

The 2012 NPPF previously stated that planning policies and decisions should encourage the *effective* use of land by re-using land that has been previously developed (brownfield land) (added emphasis) (paragraph 111) as opposed to making 'efficient' or 'optimal' use of the land. Though it is noted that it did provide for local planning authorities to 'set their own approach to housing density to reflect local circumstances' (paragraph 47).

In this particular case, the application site relates to residential garden land which is excluded from the definition of 'previously developed land' in Annex 2 of the 2019 and 2012 NPPF respectively. It is noted the 2019 NPPF does not distinguish between previously developed land and undeveloped land in the context of achieving appropriate densities.

Local Policy Context

Policy CS9 of the Adopted Local Plan (Core Strategy) states that planning permission will be granted for housing proposals that will:

"achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shop and services in addition to respecting the surrounding landscape, character and built form."

Paragraph 6.21 of the supporting text indicates that the density of new housing will depend on its design and appropriateness to its location. A range of minimum density thresholds were developed using the Havant Borough Townscape and Seascape Character Assessment and the levels of accessibility to a range of facilities:

High Density	- Minimum of 60 dwellings per hectare
Medium Density	- Minimum of 45 dwellings per hectare
Low Density	- Up to 45 dwellings per hectare

Paragraph 6.22 indicates that where the quality of design justifies it, much higher densities could be achievable. This is likely to be more appropriate in town centres or highly accessible locations. It also notes that seeking higher density in such locations will reduce the requirement for greenfield land release and ensure that more people have excellent access to jobs, public transport, shops and services.

Policy H3 in the emerging Local Plan indicates that residential development must maximise its contribution to addressing housing need in the context of the finite undeveloped land in the Borough. The policy also requires development to provide for a minimum of 40 dph outside of town and district centres and defined opportunity areas. This increases to 55dph within defined 'opportunity areas'. The [Residential Density Evidence Paper](#) defines opportunities for higher density residential development dependent on accessibility to services that would support future occupants. For Emsworth, this includes shops and services, train station and bus routes. Figure 23 of the plan confirms that the site is partly within the Emsworth opportunity area and partly outside it.

Policy D3 in the emerging Neighbourhood Plan also indicates 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.

It also confirms that residential development that does not demonstrably optimise the density of the site should be refused.

Site Specific Constraints

Paragraph 6.33 of the supporting text for emerging Policy H3 indicates that site-specific constraints and local character may justify a different approach having regard to the site context. In such circumstances, a detailed Design and Access Statement must fully explain the rationale to the proposed approach to the design and layout of the scheme. In this respect, Section 5 of the submitted Design and Access Statement provides some detail and explanation of the constraints affecting the site, including the extent of flood plain; the existing TPOs on site; a foul sewer and a restrictive covenant (which would not be a material consideration) on Curlew Close which allows a maximum of 5 dwellings to the south of the existing house.

The applicant has subsequently submitted a Constraints Plan which provides a quantitative assessment of the likely developable area which takes into account the site's constraints including easement needed for the sewer, the TPOs and the root protection areas. In addition to the above, the applicant has also submitted an alternative scheme which would involve the subdivision of unit 4 which would only increase the number of dwellings on the site to 5 (the maximum which could be served by the covenant). It is noted that the applicant's architect has highlighted it is not possible to split unit 4 as it is constrained by TPOs. It is also understood that the applicant has not further explored the capacity of the southern part of the site at this time due to the covenant affecting Curlew Close or looked at any alternative design solutions for the site.

Based on the applicant's analysis, the northern part of the site has a net developable area of 0.119 ha and the southern part of the site has a developable area of 0.367 ha. Based on the submitted scheme of 6 dwellings, this would provide a density of about 12 dph. However, the northern part of the site falls within the 'area of search for 55 dph' as defined by Figure 23 in the Pre-Submission Local Plan, whilst the southern part of the site would be expected to provide 40 dph under the emerging policy.

Based on the revised net developable area, it is considered that a more realistic site yield is likely to be around 22 dwellings (rounded), or 19 dwellings if 40 dph is applied across the entire site (provided for context, acknowledging that this is not what Policy H3 sets out).

Either figure is a far greater number of dwellings than envisaged by the current application proposals (6 dwellings).

Northern part of the site – $0.119\text{ha} \times 55 \text{ dph} = 6.5 \text{ dwellings}$

Southern part of the site – $0.367\text{ha} \times 40 \text{ dph} = 14.7 \text{ dwellings}$

40 dph across the entire site – $0.119\text{ha} + 0.367\text{ha} = 0.486 \times 40 \text{ dph} = 19.4 \text{ dwellings}$

On this basis, it is considered there is likely to be a “middle ground” for the site capacity between the numbers in the allocation and the application proposals. This is particularly the case given that due to the retention of the existing dwelling and the presence of trees, the site is an irregular shape. It is acknowledged the applicant has submitted an alternative scheme for 7 dwellings on an informal basis, but this is not considered to optimise the use of the site.

Local character

Whilst it is noted that the street scene character is predominantly large, detached dwellings, with the information available there is a limited justification for the proposed form of development and why it justifies a deviation from the density standard of 40 dph under emerging Policy H3.

It is noted the submitted Figure Ground plans (existing and as proposed) show that the proposed ‘T-shaped’ dwellings would have a larger footprint relative to dwellings in the surrounding area. It is also noted all the proposed 2-storey dwellings except unit 5 have a floorspace area of 279 sq. m. The size of these dwellings which would twice exceed the nationally described space standard for an 8-person 5-bedroom dwelling (128 sq. m).

The proposed development (five x 5 no. bedroom detached dwellings) would not make an efficient use of the available land under Policy CS17. As such, it cannot be concluded that the proposed form of development would fully maximise the potential of the site to address housing needs, and would therefore be contrary to the aims and objectives of emerging Policy H3 and paragraph 123 of the NPPF. Paragraph 123 section c) of the 2019 NPPF is clear that local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the Framework.

Coordination of Development

Policy DM6 of the Core Strategy indicates that development will only be permitted where they do not undermine the future development of adjacent sites. This principle is reinforced by criterion h. of emerging Policy DR1. Paragraph 10.21 of the supporting text in the Core Strategy indicates that

“Development should not be piecemeal or prejudice the potential for the satisfactory development of a larger area. Piecemeal schemes which avoid the need for developer contributions will be refused.”

In this particular case, it is noted the applicant is the current owner of the existing house and the tennis courts are in the same ownership, and are to be retained as part of a shared communal facility. However, arguably this prevents a development coming forward on a larger area of land and seeks to circumvent other developer requirements. This is considered in further detail below.

Housing mix and affordable housing

Policy CS9 (as amended by the NPPF) sets out that 30-40% affordable housing should be provided on housing sites of 10 or more dwellings; and that housing proposals will provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities. It is considered that the proposed development could potentially create a form of 'gated community' and would not support social cohesion with the surrounding area.

Paragraph 6.24 of the Core Strategy states that a mix of dwelling types should be sought from one and two bedroom flats to terrace and larger detached houses. It is noted that the proposal would provide five no. 5 bedroom detached dwellings.

It is considered, with the available evidence, that the site has the potential to accommodate more development than is proposed. Emerging policies on affordable housing (H2 of the HBLP and L1 of the ENP) and mix (H4 of the HBLP and L2 of the ENP) have a threshold of ten dwellings and so would not apply to the proposal as currently designed.

The Neighbourhood Plan also recognises that the neighbourhood plan area may wish to encourage the provision of more flats and terraced housing which would complement the large number of existing larger detached houses. In this respect, the provision of a proportion of smaller dwellings (1-2 bedrooms) is encouraged, for which there is evidenced demand.

In terms of mix, the Council's [Specialist Housing Analysis](#) indicates that Emsworth has a surplus of 4+ bedroom market properties (25%) relative to assessed need (11.6%) and a deficit of 2 bedroom properties for which there is a clear need (20% stock v 34.2% need).

In addition to the above, the supporting text to Policy H2 (para 6.28) sets out that:

"Housing proposals will be expected to make efficient use of land in line with Policy E1 (High Quality Design). Any proposal that appears to have an artificially lower density in order to avoid the affordable housing requirement may be refused planning permission". T

The latter principle is also set out in Policy DM8 of the Adopted Local Plan.

Design

More generally, both the adopted and emerging local plan require high quality design in all development under policies

- CS16 High Quality Design (Core Strategy)
- E1 High Quality Design (HBLP 2036)

These considerations are reinforced through the Design Policies (D1 to D7 + design checklist) in the Emsworth Neighbourhood Plan.

It is noted the applicant's agent has also drawn attention to the National Design Guide (September 2019) and specifically paragraph 41 which states that "well-designed proposals are shaped by an understanding of the context that identifies opportunities for design as well as constraints upon it. This is proportionate to the nature, size and sensitivity of the site and proposal."

Paragraph 43 also recognises that well-designed places do not need to copy their surroundings in every way. It indicates that it is appropriate to introduce elements that reflect

how we live today, to include innovation or change such as increased densities. Paragraph 64 states that well designed new development makes an efficient use of land with an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context.

The Design Guide indicates that an integrated design process should bring the ten characteristics together in a mutually supporting way, and that good design considers how a development proposal can contribute towards all of them. It is also noted that the relative priority for different characteristics should be agreed at an early stage in the design process.

Health and wellbeing

The Pre-Submission Local Plan (E2 and E11)) and the NPPF (paras 96-101) promote achieving health gains through planning decisions. Both (E11 and para 97) set put a presumption against the loss of sports provision. Whilst a private and not public facility, ensuring that it would not be lost through development is considered appropriate in that it would serve to boost healthy living for the proposed occupants. However, there is an opportunity to allow public use of the facility though it would appear only to be available to the residents of the development, and potentially those of Curlew Close.

The site also includes common parts, including vehicular and pedestrian access to the southern properties from Curlew Close. At the south of the site there is an access to Chichester Harbour and Footpath 56 (Wayfairers Way), which runs along the coast from Emsworth to Langstone. However, this is private access for use by residents only. Policy E2 of the Pre-Submission Local Plan highlights the need to enhance existing and facilitate new opportunities for active travel (walking and cycling) ...by...creating and improving pedestrian and cycle routes linkages within the Borough and to surrounding areas, particularly...along the coast. The need for a safe and convenient access to Footpath 56 is also highlighted in the allocation for the site (H13). In this respect, it is also noted that criterion f of Policy E1 indicates that the layout should provide safe and convenient access for all users. It is recognised that consideration should be given to the need for natural surveillance and lighting, ensuring that the latter does not adversely affect designated habitats or the landscape.

The emerging Neighbourhood Plan refers to access to the waterfront and recognises the health and leisure benefits that residents can gain from the coastal path. Emerging Policy WF1 is clear that any new development on any waterfront site shall provide public right of access to the waterfront. It is also indicates that applications should include an appraisal of options for the provision of public spaces and leisure facilities, and must clearly explain how the proposals have taken account of this appraisal.

Development Requirements:

The full set of developer considerations can be found in the emerging allocation policy; please see Policy H13 in the Pre-Submission Draft Local Plan. The applicant should ensure these are satisfactorily addressed through assessments of these site issues as part of any planning application.

In addition to the above, emerging policies which are of particular relevance to the proposed development are summarised below:

- **Low Carbon Design** – Residential development is expected to achieve a 19% reduction in Dwelling Emission Rate in accordance with emerging Policy E12.
- **EV Charging Infrastructure** – Electric Vehicle charging infrastructure should be provided for each new residential unit with private off-street parking in line with emerging IN3.

- **Management Plans** – A management plan is likely to be required through a legal agreement to establish the whole life management and maintenance of the common parts within the development.

Parking:

The proposals would need to ensure that appropriate parking provision is provided in accordance with Policy DM13, emerging policy IN3 and the Council's Parking SPD.

Summary:

Emerging policy H3 must be afforded some weight particularly given the clear direction in national policy to optimise the use of land. The NPPF in and of itself is also a material consideration in the determination of planning applications.

The development proposals would provide for a significantly lower density than set out by emerging policies H3 and H13. As such the development proposals are not be capable of support in their current form. The area which has been made for development prevents development coming forward on a larger area of land. Nevertheless, the proposed form of development seeks to artificially lower the density of the site, and thereby circumvent the requirements for housing mix and affordable housing.

On this basis, the current development form would fail to make an efficient use of land, and optimise the use of the site. Though it is acknowledged there are site specific constraints which reduce the net developable area, the proposed form of development seeks to artificially reduce the capacity of the site. Furthermore, it is noted that the size of the dwellings would be larger than can be found in the local context.

