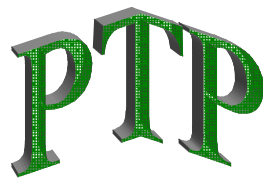


Planning Statement

**Demolition of Existing Building and Redevelopment
of Site to Provide Four Houses (3 x 3 Bed; 1 x 2 Bed)
and 5 Flats (4 x 2 Bed; 1 x 3 Bed)**

**At Land at Dolphin Quay, 31 Queen Street,
Emsworth**

By Wilson House Developments Limited



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May 2014

1.0 Introduction and Background

1.1 Planning permission is sought for the redevelopment of land and buildings at Dolphin Quay, Queens Street, Emsworth to provide a new development of 4 houses and 5 flats. The existing site comprises three principal structures (a large building, most recently used for the sale of antiques; a two storey office and; concrete portal framed former boat workshop) together with a limited amount of external space. In the past few years the site has flooded during prolonged periods of heavy rain combined with high tides. Consequently, despite being marketed by a local agent, the current owners have been unsuccessful in finding new tenants.

1.2 The site is located within the Emsworth Conservation Area, is adjacent a Grade II listed building (Lord Raglan Public House) and is within a Flood Zone 3 area. The site does not fall within an area designated Primary and Secondary Shopping Frontages.

1.3 The proposed development has been the subject of a pre-application consultation process with both Officers of the Council and members of the wider community. In recognition of the sites position within a Flood Zone 3 area it is also proposed to undertake significant off site mitigation measures that would help improve Emsworth's flood defences and protect a large number of properties at the east end of Queen Street from flooding.

1.4 It is also recognised that the development site is within a historically important location adjacent several listed buildings and within the Emsworth Conservation Area. The design solution adopted reflects advice from an independent Conservation Consultant and has responded to comments made during the period of community involvement.

1.5 This statement describes our Client's proposal and places it in context with relevant national and development plan policy, guidance and advice. It will be concluded that our Client's application proposal should receive support and be granted planning permission.

2.0 The Application Site and Surroundings

2.1 The application site comprises a complex of buildings originally used for the construction and repair of small boats. Building 1 is the largest unit and has been most recently used as an antiques centre. This is single storey at its Queen Street frontage, however, increases in height to the rear with a large vaulted ceiling. Building 2 is a two storey brick office building, located in a corner position. The 3rd building is situated to the rear of the two storey office and comprises a concrete portal framed structure which has been used for boat building and repair. This use has also utilised the external space surrounding the building on the harbour edge.

2.2 The site is located on the south side of Queen Street and to the north of moorings within the Mill Pond. Running adjacent to the sites eastern boundary is the Lord Raglan Public House which is a Grade II Listed Building, together with its beer garden to the rear.

2.3 Adjacent the site to the west is Dolphin House (29 Queen Street) also a Grade II listed building. Opposite the site on the north side of Queen Street is a petrol filling station/vehicle repair garage, a terrace of two storey houses and 'The Old Flour Mill' a four storey high, red brick Grade II listed building.

2.4 As has been stated the site falls within the boundaries of the Emsworth Conservation Area and is also an area considered to be at risk of flooding (identified as Flood Zone 3). The site is not identified as falling within either a Primary or Secondary Shopping Frontage.

3.0 Relevant Planning History

3.1 Historically, the collection of buildings occupying the site were used in relation to timber boat construction and repair. In recent years a combination of factors have resulted in the demand for the use of the site as a boat yard to decline. Methods of boat construction have changed over time with less timber and more fibreglass boats being built. It is apparent that the existing buildings are neither large enough to accommodate many modern boats or suited to modern boat building techniques. Since the early 1990s the site has been used for a range of uses including A2 offices, and as an antique shop. The western part of the site operated as a timber boat yard until this also closed in 2012.

91/51798/003 Change of use from retail shop (class A1) to private car hire office

92/51798/004 Continued use of premises as yacht brokers (Class A2)

96/51798/005 Change of use from boatyard to retail (antiques and crafts) for a three year period – Temporary Permission for 3 Years issued 10th December 1996.

This permission was renewed in 1999 (99/51798/006), 2002 (02/51798/007) and 2005 (05/51798/008). The personal occupancy condition was removed from this last grant of permission.

4.0 Proposed Development

4.1 The application seeks a grant of planning permission for the demolition of the existing buildings and the construction of a terrace of 4 houses fronting onto Queen Street, together with an apartment building, accommodating 5 flats, on land to the rear facing the Mill Pond and River Ems. The proposal would also result in the upgrading of existing pontoons and their retention for commercial rental purposes.

4.2 Additionally, it is proposed that the development would make provision, via a S106 agreement, of off-site flood defences which would help protect the wider area from flooding.



4.3 As is explained in the Design and Access Statement which accompanies this application the four houses would be arranged in a two/three storey high terrace that would front onto Queen Street. Access to a central parking court, located to the rear of the houses, would be via a drive that would be created between the east elevation of the terrace and the west side of the Lord Raglan PH.

Each of the houses would be provided with garage car parking for two vehicles, together with 1 or 2 additional spaces in front of each garage. To the south of the terrace of houses would be a three storey high apartment block which would accommodate 5 flats. The parking and turning area located between the terrace and the apartment block would accommodate a further three car parking spaces. Additionally, undercroft car parking (and secure cycle storage) would be provided for 7 vehicles at basement level within the footprint of the apartment building.

4.4 The terrace of four houses is designed in a manner which reflects and complements the traditional architectural vernacular of existing buildings in Queen Street. The terrace would be 'stepped' in order to respond to the change in scale of buildings along the Queen Street frontage between the 2 storey high Lord Raglan PH and the 4 storey 'Flour Mill'. The two houses next to the Lord Raglan PH have been designed with red stock facing brick, flint work with red brick detailing, timber sash windows and a hipped clay roof with lead clad dormers. The other two houses are of a traditional three storey height having been designed with red stock facing brick, red brick detailing, timber sash windows and a hipped clay roof. These were designed taking in characteristics of the Listed Flour Mill.

4.5 The five apartments facing the Mill Pond have been designed in a contemporary style, however, would be constructed with traditional materials using red stock facing brick, modern clad flint, protruding bays, off white render, grey windows and glass balconies with stainless steel handrails. All the balconies would be set back into the building to reduce the overall mass. Additionally, the third floor apartment has been set back in order to reduce a perception of mass. Anti-glare and solar glass will be used on south facing windows to reduce any glare and avoid overheating.

4.6 In order to ensure that the habitable accommodation was not at risk of flooding the finished ground floor level of both the houses and flats would be set at 4.8m AOD. A schedule of the proposed development is provided below.

4 Houses

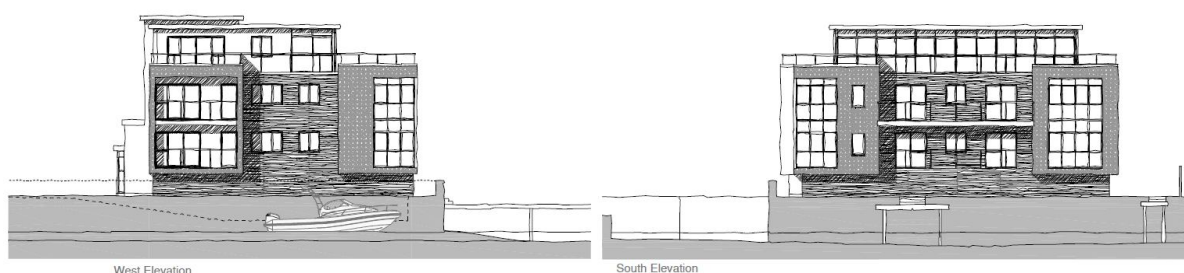


2 no. 5 person 3 bed houses: (117.6sqm)

1 no. 5 person 3 bed house: (104.8sqm)

1 no. 4 person 2 bed house: (95.7sqm)

5 Apartments



- 2 no. 4 person 2 bed apartment: (96.7sqm)
- 2 no. 4 person 2 bed apartment: (103.3sqm)
- 1 no. 5 person 3 bed apartment: (111sqm)

25 car parking spaces [inc. 5 garages] refuse bins and cycle stores

5.0 Planning Policy

National Planning Policy

4.1 The National Planning Policy Framework (NPPF) was published by the Government on 27th March 2012. The NPPF cancels and replaces all earlier Planning Policy Guidance Notes and Statements.

5.2 Paragraph 13 of the Framework sets out the presumption in favour of sustainable development. The Government states that *'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking....'* The document promotes planning principles which include making effective use of land, promoting mixed use developments that create more vibrant places, and encouraging multiple benefits from the use of land in urban and rural areas. Furthermore, the document requires Local Planning Authorities to approach development management decisions positively (i.e. to look for solutions rather than problems so that applications can be approved wherever it is practical to do so).

5.3 The NPPF states (at para.7) that there are *'... three dimensions to sustainable development: economic, social and environmental.'* The social dimension of sustainable development is described in the NPPF as *'supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being'.*

5.4 Amongst the Core Planning Principles described at paragraph 17 the NPPF states that planning should *'proactively drive and support sustainable economic development to deliver the homes... that the country needs. Every effort should be made objectively to identify and then meet the housing... development needs of an area, and respond positively to wider opportunities for growth.'* Two further planning principles are to *'... take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs...'* and *'.....conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations...'* With regards to flooding this paragraph states that the planning system should take *'...full account of flood risk and coastal change...'*

5.5 With regards to residential development, at para. 49 the NPPF states that *'Housing applications should be considered in the context of the presumption in favour of sustainable development'*. Furthermore paragraph 50 comments *'To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should ... plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community...'*

5.6 With regards to design the NPPF states at par. 57 *'...It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings...'* In respect of architectural design the statement comments (para. 60) that *'...Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not*

stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles...'

5.7 Paragraph 61 refers to the connection between people and places. It states *'Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment....'*

5.8 At paragraph 94 the NPPF states *'...Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations...'* Paragraph 100 of the NPPF identifies that where development is necessary it should be *'safe without increasing flood risk elsewhere'*. This is supported by NPPF paragraph 99 *'when development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaption measures'*.

5.9 Paragraph 132 of the NPPF advises that *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. ... Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification...'*

5.10 Paragraph 134 advises on the assessment of development that is considered to cause *'less than substantial harm'* to a heritage asset. It is stated that *'...Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use....'*

5.11 Paragraph 196 of the Framework confirms that the NPPF is a material consideration in planning decisions. Paragraph 197 states, furthermore, that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Havant Borough Local Development Framework

5.12 The Havant Borough Core Strategy was formerly adopted on 1st March 2011. It is the principal document in the Council's Development Plan and sets out the spatial planning strategy for the area up to 2026. The relevant policies are as follows:

CS4	Town, District and Local Centres – encouragement of new comparison goods retail floorspace within identified centres;
CS6	Regeneration of the Borough - Planning permission will be granted for development which positively contributes by type of use and design and by its comprehensive approach to the social, economic and/or physical regeneration of the whole borough...;
CS9	Housing – requires new residential development to provide a mix of dwelling types that <i>'help meet local housing need...'</i> - 30-40% of units to be provided as affordable housing;
CS11	Protecting and Enhancing the Special Environment and Heritage of Havant Borough – this policy seeks to protect and where appropriate enhance the borough's statutory and nonstatutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings;
CS14	Efficient use of Resources;

(requires residential development to meet Level 3 of the Code for Sustainable Homes)

CS15	Flood and Coastal Erosion Risk ‘Development in areas at risk of flooding now and in the future as identified on the latest Environment Agency flood risk maps and Strategic Flood Risk Assessment climate change maps will only be permitted where: 1. It meets the sequential and exception test (where required) in relation to PPS25. 2. The site is located in a low hazard area as defined in the Strategic Flood Risk Assessment. 3. A site-specific flood risk assessment demonstrates that the development will be safe, including the access, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. 4. The scheme incorporates flood protection, flood resilience and resistance measures appropriate to the character and biodiversity of the area and the specific requirements of the site. 5. Appropriate flood warning and evacuation plans are in place. 6. New site drainage systems are designed taking account of events which exceed the normal design standard...’
CS16	High Quality Design;
CS20	Transport and Access Strategy;
DM2	Protection of Existing Community Facilities and Shops ‘Development proposing the change of use or loss of any premises or land currently or last used as community services and facilities, including local shops ...- shall be retained unless it can be demonstrated via a marketing exercise that there is no longer a demand/need for that use;
DM3	Protection of Existing Employment and Tourism Sites – Sites last used for Class B employment purposes shall be protected unless it can be demonstrated they are no longer fit for purpose +/- financially unviable for continued Class B use;
DM12	Mitigating the Impacts of Travel;
DM13	Car and Cycle Parking on Residential Development.

5.3 The above policies are considered to be in general conformity with the NPPF and are, therefore, relevant to the determination of this application.

The Havant Borough District-Wide Local Plan, 1996-2011

5.4 This document has now mainly been superseded by the adopted Core Strategy. There are some “saved” policies of the Havant Borough District Wide Local Plan that still form part of the Development Plan for Havant Borough. However, these are generally the more site specific policies and those relating to land allocations. As such, there are none now considered relevant to the current application proposal.

5.6 Havant Borough Council have also produced a number of Supplementary Planning Documents. Those relevant to this application are: - Borough Design Guide – Adopted 14th

December 2011 (This provides guidance on building design); and Residential Parking and Cycling Provision – Adopted 22nd March 2010 (This document sets out guidelines for the number of on-site car parking, short stay and long stay cycle parking spaces per dwelling, according to the number of bedrooms).

6.0 Planning Considerations

Assessment of the Proposed Development in a Context with Current Planning Policy

6.1 Planning permission is sought for the redevelopment of Dolphin Quay to provide a terrace of 4 houses together with a building accommodating 5 flats. It is considered that there are three main material issues that are pertinent to the consideration of this proposal: -

- a. Flood Risk;
- b. Historic Environment;
- c. Marketing - Principal of redeveloping a commercial site for housing (i.e. policies DM2 and DM3).

Flood Risk

6.2 As has been highlighted earlier in this statement the site is located within a Flood Zone 3 area. In order to better understand and establish whether the application site was capable of being redeveloped for housing the applicants commissioned Opus International Consultants (UK) Ltd to undertake a Flood Risk Assessment. The FRA acknowledges that (para.11.2) 'Coastal defences on the site frontage to be designed for 4.8m AOD tidal level and constructed initially to a minimum crest level 4.05m AOD...' Consequently, when considering the development proposal the report states at para.11.4 'No habitable uses are proposed below 4.8m AOD. Uses below this are restricted to courtyard, garden and amenity space for parking, recreation, cycle storage and utility rooms. Resilient forms of construction in accordance with DCLG guidance document 'Improving the Flood Performance of New Buildings-Flood Resilient Construction' will be used.'

6.3 In their report Opus note, at paragraph 12.1, that 'The site (undefended at present) is classified as FZ3. Whilst in an undefended condition the site is at an unacceptable risk of flooding.' However, the report goes on to state that '...development on the site is needed to enable delivery of Queen Street coastal defence scheme and this accords with local Flood and Coastal Erosion Resilience Partnership Funding policy.' In other words the redevelopment of the application site would enable the provision of significant flood protection works around Dolphin Quay which would '...facilitate a reduction in flood risk to 0.5% AEP +300mm freeboard for the following:

- Residences at 1-8 at Chequers Court
- Residences at 1-3 Spinnaker Place
- Residences at 26, 28, 30, 31, 32 & 34 Queen Street
- Commercial business at Lillywhites Garage
- Commercial business at The Lord Raglan PH
- Several commercial businesses at Queen Street Mill Business Park
- Public access to the above along Queen Street...(para.14.1)

6.4 The report also states that 'Properties owners shall initially be provided with and shall thereafter maintain and update a Flood Warning and Escape Plan. If officers are minded to grant permission this aspect of the proposal could be required via a planning condition.

6.5 The application proposals would make provision for a wider raft of measures to be carried out to flood defences. These improvements, some of which are off site, would be secured via a S106 agreement.

6.6 Given that the proposal would result in the future occupiers of the proposed dwellings being adequately protected from the risk of flooding, as well as those occupying both existing residential and commercial buildings identified above, it is considered that the development would be compliant with the relevant paragraphs of the NPPF and policy CS15 of the Havant Borough Core Strategy.

Historic Environment

6.7 Policy CS11 of the Core Strategy relates to the protecting the special environment of the Borough. The applicants have sought the advice of a specialist Conservation Consultant (please refer to accompanying Heritage Statement) and have consulted with the Council's Conservation Officer. The Heritage Statement submitted with the application notes, on page 4, states: -

'The existing buildings on the site, as noted in the Local Planning Authority's appraisal, have a negative impact on the character and appearance of the conservation area. Although Nos.31 and 31A (the frontage buildings on the site) retain a vestige of the nineteenth century buildings that once existed, there have been substantial alterations carried out to these buildings and consequently their heritage value is now insignificant. The later buildings at the rear of the site are all rudimentary in appearance and falling into a state of dilapidation. None of these structures have any architectural or historic interest. It follows, therefore, that the demolition of all the buildings and structures on the site would, in principle, be beneficial provided the replacement buildings and spaces are of a high quality and sympathetic to the context in this part of the conservation area...'

6.6 The evolution of the scheme has responded positively to comments made by both Officers and members of the Local Community. As such it is now considered to represent a form of development which is compliant with policy CS11, 'Protecting and Enhancing the Special Environment and Heritage of Havant Borough' of the Core Strategy.

Marketing

6.7 A marketing report has been submitted in support of this application by agents Borland and Borland. It is noted in this report that the current antiques shop has been empty since 2010; the two storey brick office has been empty since early 2011, with the boat yard being vacated in summer 2012 and the occupier moving to other premises within Chichester Harbour. It is believed that the previous boat yard occupiers went into administration.

6.8 Despite being actively marketed the agents have been unable to attract new tenants. The main reason given by prospective occupiers is that they cannot obtain insurance due to the buildings being located within a Flood Zone 3 area. Borland and Borland note that the buildings have flooded on three occasions so far this year. Whilst the report acknowledges that the take up of commercial property in Emsworth is relatively strong, regular flooding, the disruption caused by flooding and an inability to obtain anything but limited insurance cover appears to have discouraged interest. Additionally, the buildings are not considered to be fit for modern commercial purposes.

6.9 With regards to the reuse of the site as a boat yard it is considered that possible interested parties have been discouraged by both the small size of the site, which prevents the installation of a permanent crane to lift boats, and the tidal nature of Dolphin Cut which runs dry at low tide.

6.10 Page 7 of the marketing report notes that Borland and Borland have marketed the premises since 2010 both via boards and having distributed details to interested parties. There has been some interest in the Antiques Centre for its use as a restaurant, however, once prospective tenants / owners became aware of the flooding issues, their interest was quickly withdrawn.

6.11 The report states that no commercial developers considered the redevelopment of the site to be financially viable either as a refurbishment or as a rebuild. Again, the propensity of the site to flood has proven to be a barrier to the site being redeveloped for commercial purposes.

6.12 Policies DM2 and DM3 require that an adequate marketing exercise has been undertaken in order to demonstrate that a former shop, or Class B employment site, is no longer suitable for shopping, community or an employment purposes. Having reviewed the marketing report by Borland and Borland it is apparent that the sites location within Flood Zone 3 is the current barrier to bringing the site back into a commercial or employment use. Given that the site floods regularly insurance companies are understood only to be able to offer limited cover to prospective occupiers. The cost of refurbishing the existing buildings or redeveloping the site for commercial purposes is considered to be 'not a viable investment due to regular flooding issues.' It is also the case that modern boat building enterprises require, in most cases, larger premises with a permanent water frontage and improved boat lifting facilities. Consequently, the marketing report highlights the fact that there has been little interest in the use of the existing buildings for either similar or alternative commercial purposes.

6.13 It is also a fact that any redevelopment of the site for commercial purposes would, as does the current application, have to mitigate flooding issues, address townscape and heritage considerations, and also be compatible with a mixed residential/commercial area.

6.14 The evidence presented by this report indicates that a future commercial use of the site is unlikely to happen due mainly to flooding. The report outlines the fact that the site has been marketed since 2010 and, during this time, no prospective occupier has proceeded to lease or purchase the site for continued commercial use. Given the forgoing, it is considered that an appropriate marketing exercise has been undertaken which demonstrates that there is no longer a demand for the use of the site for commercial purposes. As such, the consideration of the redevelopment of this site for residential purposes is compliant with policies DM2 and DM3.

Other Matters

6.15 The applicants will ensure that the proposed development is undertaken so that the new dwellings will be constructed to achieve Code Level 3 of the Code for Sustainable Homes. As such, it is considered that the proposal is compliant with Policy CS14 'Efficient use of Resources' of the Core Strategy.

6.16 Of particular note is Policy CS16, seeking a 'High Quality of Design' in all development proposals. This policy requires development to *respond to and draw inspiration from, and respect the local context*. The evolution of this proposal is explained earlier in the Design and Access Statement. It is of particular note that the proposal has been the subject of pre-application consultation with the local community and Officers of the Council where issues such as the context, design, scale and form of housing have been considered. It is our view that the form, layout of the proposed scheme would complement the adjacent listed buildings and would also preserve and enhance the character and appearance of the Emsworth conservation area. Furthermore it is considered that the proposal would respond to, reflect and complement the pattern and character of existing development in the area. The proposal is considered to be compliant, therefore, with Policy CS16, 'High Quality of Design' of the Core Strategy.

6.17 Policies CS20, 'Transport and Access Strategy', DM12, 'Mitigating the Impacts of Travel' and DM13, 'Car and Cycle Parking on Residential Development' are of relevance to the determination of this application.

6.18 These policies should be read alongside a Supplementary Planning Document (SPD) on Residential Parking and Cycle Provision which was adopted by the Borough Council in March 2010. Given the location of the application site close to the centre of Emsworth it is considered that many trips to shops and services would be undertaken on foot. As such, it is considered that the

development would generate minimal local car movements. Additionally, car and cycle parking will be provided in accordance with the Council's standards.

6.19 Given the above it is considered that the proposed development is compliant with Core Strategy policies CS20, DM12 and DM13.

7.0 Conclusions

7.1 This application proposes the redevelopment of the existing land with a high quality residential development. The site is on previously developed land and is also in a sustainable location close to Emsworth Town Centre.

7.2 It is apparent from the marketing exercise that has been undertaken that the site is now not viable for further commercial use. Recent flood events have discouraged interest in the use of the site for alternative commercial uses; the sites limited size and position next to often shallow water has also discouraged interest from the boat building sector.

7.3 The proposed design solution would both mitigate current flood risk and would also enhance the character and appearance of the surrounding conservation area. Additionally, the proposal would also improve existing flood defences and help protect a wider number of properties within the vicinity of the site. The National Planning Policy Framework states that there should be a presumption in favour of sustainable development. It is considered that this proposal represents sustainable development.

7.4 The Design and Access Statement submitted with the application sets out the extensive consultation exercise that has been carried out with both Havant Borough Council and the Local Community. This exercise has enabled the scale, design and layout of the proposal to evolve in a manner that reflected local concern. It is considered that the proposal, as such, has addressed several early concerns and now has the backing of some of the local community.

7.5 It is concluded that, in terms of current planning policy, the proposed development would be an example of 'sustainable development' and would, as such, be compliant with both the NPPF and the Havant Borough Core Strategy.