



The Planning Inspectorate

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2 The Square
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Miss Karen Wooden
Havant Borough Council
Business Development & Support
Team
Civic Centre
Havant
Hampshire
PO9 2AX

Your Ref: APP/13/00765
Our Ref: APP/X1735/A/13/2210187
Date: 24 January 2014

Dear Miss Wooden

Town and Country Planning Act 1990

Appeal by Dr Ian Caldwell

**Site at Merok House Rest & Convalescent Home, 46 New Brighton Road,
Emsworth, PO10 7QR**

I enclose third party correspondence relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than **13 February 2014**. You should comment solely on the representations enclosed with this letter.

You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.

Using e-mail and the internet

You can now use the internet to send us documents and check the information and the progress of this case at (www.planningportal.gov.uk/pes). If you send us your comments by e-mail, you only need to send us one copy of each. However, if you post your comments, please send us 2 copies of everything and put the full appeal reference number on each copy.

Comments submitted after the above deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours sincerely


N. Oliver



Neale Oliver

211L(WR)

The Planning Inspectorate
Room 3/19
Eagle Wing
Temple Quay House
2 The Square
Bristol BS1 6PN

21st January 2013

Dear Sir/Madam

Planning Inspectorate's Appeal Reference: APP/X1735/A/13/2210187
Appeal Site: Merok House, 46 New Brighton Road, Emsworth, Hants, PO10 7QR
Havant Borough Council Planning Application Number: APP/13/00765
Appellant's Name: Dr Caldwell

I am against the appeal proposals for the same reasons as given in previous comments, with further endorsements as outlined below:

- **Intrusion of commercial property in a quiet residential area** generating additional noise, lighting, and visitors, as well as excessive road traffic. Closure of one access drive will mean that large vehicle deliveries are more likely on New Brighton Road, blocking visibility to residents turning out of Silvertrees onto an increasingly busier road (with 248 new homes at its Northern end). Additional staff, also parking on New Brighton Road, will further increase the hazards. Only one access drive will have implications for ease of access for emergency services, needed to support residents.
- **Overdevelopment of plot** with buildings creating an oppressive impact on surrounding residential family houses (in New Brighton Road, Silvertrees and Danbury Court), including loss of natural light and privacy, as well as impact on use of gardens.
- **Obtrusive and overbearing design** of various extensions to different sides of existing property, out of keeping with the residential character of the area, and the local pattern of streets, spaces, buildings and landscape of the wider locality. It will also destroy the visual separation of existing properties. This would appear to contravene the 'National Planning Policy Framework' that requires planning to enhance and improve places in which people live their lives.
- **Increased urbanisation of a residential area** with removal of garden, shrubs and mature trees. This will not only destroy the environmental quality of the area, but also pose a risk to adjoining properties from a reduction in natural drainage, increasing run-off or seepage and potential structural issues.

In summary, the proposed commercial development conflicts with the established nature of the local area providing residential homes to families. It was for this very reason the application was rejected by the Development Management Committee with the statement 'The proposed development would result in an excessive building bulk adjacent to existing residential properties to the north, resulting in an un-neighbourly and overbearing impact detrimental to the visual outlook and amenities of the occupiers of the properties. As such the proposal is considered to be contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.'

Enclosed are three copies of this letter as requested, and I would be grateful to receive a copy of the appeal decision letter.

Yours faithfully

Ms E Warham

23 JAN 2014
RECEIVED



The Planning Inspectorate

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D R and I L Smith
10 Silvertrees
EMSWORTH
Hampshire
PO10 7ST

Your Ref:

Our Ref: APP/X1735/A/13/2210187

Date: 22 January 2014

Dear D R and I L Smith

Town and Country Planning Act 1990

Appeal by Dr Ian Caldwell

**Site at Merok House Rest & Convalescent Home, 46 New Brighton Road,
Emsworth, PO10 7QR**

Thank you for your letter making representations and asking the Inspector to look at the appeal site from your property.

I will make sure that the Inspector sees your request. However, it is for the Inspector to decide whether to accept your invitation. If it is accepted, the local planning authority (LPA) and the appellant or their representative will also have to be present throughout the visit.

The purpose of the site visit is to allow the Inspector to see the site before deciding the appeal. The Inspector can be asked to note particular physical features of the site or of the proposed development itself, but will not be able to discuss the merits of the case with anyone during the visit. We will send you details of the site visit as soon as they are made.

I am sending a copy of your letter and this reply to the appellant and the LPA.

Yours sincerely

Neale Oliver

105(BPR)



10 Silvertrees,
Emsworth,
Hants
PO10 7ST
19th January 2014

Dear Sir,

Planning Inspectorate's Appeal Reference APP/X1735/A/13/2210187
Appeal site: Merok House, 46 New Brighton Road, Emsworth, Hants., PO10 7QR
Havant Borough Council Planning Application Number APP/13/00765
Our name and address: D.R.Smith and I.L.Smith, 10 Silvertrees, Emsworth, Hants., PO10 7ST

I am against the appeal proposals. It is for the reasons I gave in my original representation and the additional points contained in this letter.

1. We were very surprised that Planning Development made their recommendation to approve this application so far in advance of the cut-off date for representations and when only 6 representations had been received. A further 6 (including mine) were subsequently received prior to the cut-off date but were only very briefly summarised in the 'Supplementary Planning Information'. My objection to the courtyard infill was omitted from this document. It was fortunate that I made a deputation at the Development Management Committee meeting so was able to raise it, otherwise this would have been ignored. The withdrawn application attracted 12 opposing representations so it would have been reasonable for Planning Development to have expected a similar number.

2. This application appears to contravene the 'National Planning Policy Framework' that requires it to be 'a creative exercise in finding ways to enhance and improve places in which people live their lives' (para 5.4 of the Appeal Statement'). Improvements for residents of Merok House are welcomed but this proposal will degrade those of the residents of existing surrounding properties.

3. Para 6.17 of the Appeal Statement describes the proposed benefits to the properties to the north by relocating the kitchen and laundry and Para 6.18 recognises that there 'is potential for some noise and disturbance from the use of these bedrooms, this is considered to be offset by the relocation of the kitchen and laundry uses'. This does not apply to our home and would make our situation worse as currently we do not experience smells from the kitchen and only occasionally hear people chatting in the courtyard – this noise level is no different to that of a residential garden.

4 The given reason for the rejection of this application by the Development Management Committee was 'The proposed development would result in an excessive building bulk adjacent to existing residential properties to the north, resulting in an un-neighbourly and overbearing impact detrimental to the visual outlook and amenities of the occupiers of those properties. As such the proposal is considered to be contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011'.

The courtyard infill will be clearly visible from our kitchen diner (at an angle of less than 10 degrees from its window) and end bedrooms and would dominate our home and patio, reducing the enjoyment of the patio. The demolition of the kitchen building and replacement by a predominantly 1.5 storey bedroom wing with a roof the same height as the existing kitchen would be no real improvement for us and would not compensate for the courtyard infill. This new wing would have a height of approximately 6.19 metres, a length of over 21 metres of which approximately 11.75 metres would be at this height. The existing open fire escape permits a semi-open view which would be lost. Paragraph 6.15 of the Appeal Statement and Paragraph 7.12 of the Officer's Report are therefore incorrect in respect of our home. A local estate agent also believes the courtyard infill would affect the saleability and value of our home.

I am a retired I/T Consultant and was regularly involved with computer modelling during my career. I am well acquainted with the techniques, limitations and methods available to present results in support of any required case. Reality shows the courtyard infill will deprive us of some natural sunlight in our

kitchen diner and end bedrooms – this is contrary to para 6.14 of the Appeal Statement. It also calls into question the depth and accuracy of the modelling undertaken, the results of which were used by the Case Officer to form a judgement. Please see the photograph taken from our kitchen diner window at 0933 on 9th January 2014 (Appendix A)..

5. The car park at Merok House frequently has 5 or 6 cars parked there most mornings so existing staff do not appear to take advantage of the alternative travel options described in the 'Travel Plan Statement'. In response to questions raised by members of the Development Management Committee, the officers advised the Committee they could impose a condition requiring the retention of 2 accesses to the site (see minutes of the Development Management Meeting). This was in response to concerns raised about ambulances having to manoeuvre and reverse to exit the site, thereby delaying their departure with a patient).

The Development Engineer reported that 'New Brighton Road could **probably** be able to cope with an increase in on street parking without detriment to road users and or neighbouring properties. It should be noted that New Brighton Road is becoming busier with the current construction of 248 new homes on a green field site at its northern end (Hampshire Farm – planning applications 10/74014/000 and APP/12/00837) and a further 48 homes on another green field site at the nearby Oak Tree Drive..

We request that the Inspector views the proposed development from our home and we receive our own copy of the appeal decision.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

(D.R..Smith and I.L.Smith)



**The Planning Inspectorate
Room 3/19, Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN**

20th January 2014

REFERENCE: Planning Application no: APP/13/00765
Site Address: Merok House Rest and Convalescent Home, 46 New Brighton Road,
Emsworth, PO10 7QR

To whom it may concern,

We have recently purchased the property at 44 New Brighton Road, moving in on 2nd December 2013. At the time of purchase we were made aware of the application for planning permission at Merok House and were informed that this had been turned down by the Local Authority. On the 12th December 2013 we were informed of the appeal made against this decision and are writing to express our concerns.

We have examined the plans and strongly object to the proposed alterations and new build at Merok House. *As our property is directly adjacent to Merok House* we believe that the proposals will considerably affect the residential character of the area and the rural and spacious feel that was a significant factor in our decision to purchase the property at 44 New Brighton Road.

The existing building is very close to the boundary of our property and outdoor lighting is on 24 hours a day and shines directly into our house. We feel that the new proposals further conflicts with the residential character of residences within the road.

Furthermore, the increase in size of Merok House and the proposals to change parking are likely to increase the traffic flow from staff, residents families and deliveries etc, which we believe will seriously impact on the noise levels. This will affect the quiet environment we currently enjoy and which again was a factor in our purchase of our new property.

Mr L A Richards and Dr A J Richards
44 New Brighton Road
Emsworth
PO10 7QR

We are further concerned about the building works proposed in the garden. We feel that this will hugely impact upon the enjoyment, privacy, tranquillity and seclusion of our garden. The building already takes up a significant part of the garden space and has considerably altered a property which is in essence a residential home. Further building work will reduce the amount of green space surrounding our home and will significantly affect the rural feel of the surrounding properties.

The height and length of the proposed south elevation will be very close to our property and will cause a loss of natural light and an increase in overshadowing to the north face of our property. The proposed height of the south elevation will affect our privacy considerably as it will allow occupants to look directly into our bathroom. It will also affect the privacy in other living areas of our house, namely the kitchen. In addition, we feel the height of the proposed building will result in it being a dominant feature which will impact on the vista of our house and garden.

We bought this house as we were impressed by the large tranquil garden and privacy that the house affords, in a quiet residential environment. We feel that the planned proposals at Merok House are in direct conflict with this and will significantly affect the value of our property having an impact both financially and on our quality of living.

We are a family with a young child and a second child due in early March and are very concerned about the impact any building works will have on our ability to enjoy our new home.

We would appreciate being kept informed of any decisions made regarding this application and would welcome the opportunity to attend any discussions to express our views in person if appropriate.

[REDACTED]
Mr L A Richards and Dr A J Richards
[REDACTED]
[REDACTED]

Mr L A Richards and Dr A J Richards
44 New Brighton Road
Emsworth
PO10 7QR

3/10a Wing
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Bill and Marion Taylor
8 Silvertrees
EMSWORTH
Hampshire
PO10 7ST

Your Ref:
Our Ref: APP/X1735/A/13/2210187
Date: 21 January 2014

Dear Mr and Mrs Taylor

Town and Country Planning Act 1990

Appeal by Dr Ian Caldwell

**Site at Merok House Rest & Convalescent Home, 46 New Brighton Road,
Emsworth, PO10 7QR**

Thank you for your letter making representations and asking the Inspector to look at the appeal site from your property.

I will make sure that the Inspector sees your request. However, it is for the Inspector to decide whether to accept your invitation. If it is accepted, the local planning authority (LPA) and the appellant or their representative will also have to be present throughout the visit.

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I am sending a copy of your letter and this reply to the appellant and the LPA.

Yours sincerely



Neale Oliver

105(BPR)



Mr and Mrs W Taylor
8 Silvertrees
Emsworth
Hants
PO10 7ST

15 January 2014

Dear Sir/Madam

Planning Inspectorate's Appeal Reference APP/X1735/A/13/2210187

Site: Merok House Rest and Convalescent Home, 46 New Brighton Road,
Emsworth, PO10 7QR

We are against the appeal proposals because they do not address the fundamental issue of the overdevelopment of the site so close to our house.

The planning principles of the National Planning Policy Framework specify that planning should enhance and improve places in which people live their lives. We are retired and so mostly live our lives in our dwelling. Three quarters of our living rooms overlook Merok House from a higher level and these planning proposals would be detrimental to our daily lives.

The proposals accept that there would be additional noise and disturbance from the use of additional bedrooms. Kitchen noise and smells would inevitably increase with such a large expansion in Merok House's business. Artificial light levels have increased and we are concerned that additional illumination from the proposed roof lights, fire escape and security lights and from east elevation windows would cause further disturbance.

Havant's Planning Department had recommended that the Planning Committee should accept the plans. However, this recommendation was made before half of the submissions from residents had been received.

We wish the Inspector to view the appeal site from our property because of its close proximity. We also request a copy of the appeal decision.

Yours faithfully,

Bill and Marion Taylor



The Planning Inspectorate

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Mr and Mrs R W Burch
9 Silvertrees
EMSWORTH
Hampshire
PO10 7ST

Your Ref:
Our Ref: APP/X1735/A/13/2210187
Date: 20 January 2014

Dear Mr and Mrs Burch

Town and Country Planning Act 1990
Appeal by Dr Ian Caldwell
Site at Merok House Rest & Convalescent Home, 46 New Brighton Road,
Emsworth, PO10 7QR

Thank you for your letter making representations and asking the Inspector to look at the appeal site from your property.

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I am sending a copy of your letter and this reply to the appellant and the LPA.

Yours sincerely

Neale Oliver

105(BPR)



**RESPONSE TO PLANNING APPEAL APP/X1735/A/13/2210187,
MEROK HOUSE, EMSWORTH**

by RW and VF Burch, 9 Silvertrees, Emsworth, Hampshire, PO10 7ST.

We support in principle what Dr Caldwell is trying to do at Merok House to improve the facilities for his residents and also to give Merok House a more cohesive street façade. A well run and more attractive residential home in this location would be an asset to the community as a whole. We do however have serious concerns about the proposed redevelopment and understand that Havant Borough Council Planning Department have already forwarded to yourselves our submission of 3rd September 2013.

Apart from the sheer size of the planned development, our main concerns are:-

1. The proposal to site 4 bedrooms on the ground floor all within 2.5m - 4.0m from two of our main bedrooms, kitchen, study and garden/sunroom.

We note that the current web site for Merok House states that the registered care categories handled are dementia, mental health condition, old age and the Specialist Care category Alzheimer's. In addition all bedrooms are provided with television and telephone points. Locating bedrooms for the elderly and disturbed so close to our house will have huge potential to cause real disturbance for anyone living in our property.

The potential for "noise and disturbance" from these 4 bedrooms has already been acknowledged by the Planning Department (*Para 7.13 of Section 7 - Planning Considerations*) in their summary report to the Planning Committee.

2. The loss of sunlight to our garden/sunroom, kitchen, dining room and, indirectly, our sitting room, particularly during the winter months.

We note the comment of Dr Caldwell's Agent that loss of sunlight to our property will be minimal, but as yet have not seen any revised sunlight projections following the request from the Planners that the roof of the rear extension be reduced and stepped back from our garden boundary.

We also don't know whether this last proposal (Plan Reference 4963-1301 Rev H) would form part of the scheme if approval is granted.

Possible disturbance from distressed elderly residents – particularly in the summer months when windows will be open – is not something that we feel that the occupants of 8, 9 and 10 Silvertrees should be subjected to. These three houses are all good sized family homes and although none of the residents have children living at home at present, one must expect that, in the future, families with children will again occupy these properties and will want to make full use of the accommodation and gardens.

Dr Caldwell has assured us verbally that we will not be disturbed by the residents. However, in the time we have lived in Silvertrees – over 26 years – there have been four different owners of Merok House and standards of management have varied considerably. We have no guarantee that any future owner would respect Dr Caldwell's undertaking.

With such radical changes and redevelopment of the Merok Site being proposed, we had hoped that the application stage would be used to eliminate those elements of the proposal that have the potential to give rise to future problems for surrounding residents. Whatever is approved will be in place for many years, and with such a large

site being available surely it must be possible to minimize any impact on the neighbourhood by ensuring that potential sources of noise and disturbance are not located adjacent to family homes. We would hope that this can be taken into account when this Appeal is decided or in the event of any future proposals for redevelopment.

To enable the Inspector to fully appreciate the impact on our home from the proposal under consideration we would appreciate that he/she visits our property as part of their assessment of the case. Prior notice of the date of the Inspectors visit – 2 weeks if possible - would be appreciated as my husband has unfortunately had a serious heart attack and has to be away from home at times for treatment.

Mr and Mrs R W Burch
12th January 2014

Note: We would also like to request that if possible, our own copy of the appeal decision letter be provided and would be grateful if this could be sent to us at our home address, 9 Silvertrees, Emsworth, Hampshire, PO10 7ST