

COMMITTEE REPORT

Site Address: Land south of Furlonge House, Emsworth House Close,
Emsworth, PO10 7JR

Proposal: Proposed erection of a detached three-bedroomed house including work to Oak Tree subject to a Tree Preservation Order – Pruning of lateral canopy reduction in length of 2.5m to suitable growth points for the southern and south-western quadrants of the trees canopy with branch diameter not to exceed BS:3998 recommendations, raise western and south-western canopy only to 6m from ground level excluding any scaffold limbs, remove dead, damaged, or hanging branches.

Application Type: Full Planning Permission

Application No: APP/24/00245 Expiry Date: 06/06/2024

Applicant: Futuristic Home Developments Ltd

Agent: Mr Robert Tutton Case Officer: David Eaves
Robert Tutton Town Planning
Consultants Ltd

Ward: Emsworth

Reason for Committee Consideration: At the request of Councillor Rason

Development Manager Recommendation: **GRANT PERMISSION**

Executive Summary

The proposal is for a single detached dwelling on land to the east of Emsworth House Close. The development is located in the built up area and is supported in principle and would make a modest contribution to the Council's housing needs where a five year housing supply cannot currently be demonstrated.

The proposal would result in the loss of an open green area, however this is not designated as a local green space and is not public open space. The proposed dwelling would be traditionally designed and is considered to be in keeping with the character of the area and the street scene.

The impact of the proposal on the residential amenities of existing residents has been assessed in detail and is considered to be acceptable. Future residents of the property have also been considered, and suitable amenities would be provided.

Highway issues including access, parking and emergency vehicles access have been fully assessed. Whilst it is recognised that there are existing issues in the close with parking and turning the development is not required to seek to solve these issues. Following detailed assessment, it is not considered that the development would significantly impact access, parking and emergency vehicle access such as to warrant a refusal of planning permission.

The development would be located close to an important Oak Tree the subject of a Tree Preservation Order. The scheme has been amended to reduce impacts on the tree and details of works to the tree and tree protection measures have been assessed by the Council's Arboriculturalist. Subject to appropriate conditions the proposals are considered acceptable and additional planting would be secured by a landscaping scheme including

replacement planting for trees lost as a result of the development.

An ecological assessment has been provided and this sets out measures to ensure that mitigation for any habitat loss is secured. Members will be updated in relation to the Council's Ecologist response and it is likely that a planning condition will be recommended to secure the appropriate mitigation measures. The wider impacts on the SPA's in terms of water quality and recreational pressure have been addressed in a Habitats Regulations Assessment and Appropriate Assessment in consultation with Natural England and appropriate contributions have been secured.

Surface Water and Foul drainage can be appropriately managed through recommended planning conditions.

Construction phase impacts in this sensitive location require particular attention and a Construction Management Plan is recommended.

Overall, the proposed development is considered acceptable, and planning permission can therefore be recommended. Subject to appropriate conditions.

1 Site Description

- 1.1 The site is located within Emsworth to the north of the A259 Havant Road and to the east of Emsworth House Close. The site itself is a grassed area with trees to the northern boundary, and beyond the boundary are more significant trees in particular an Oak Tree subject to a Tree Preservation Order in the garden of No.6 Record Road. There is also a hedge to part of the eastern boundary. It is understood that historically the site had a Red Cross building on the land which included access onto Emsworth House Close, this building was however removed from the site although the dropped kerb access remains onto Emsworth House Close.
- 1.2 To the south of the site is an open grassed area which is subject to a separate planning application for the Erection of 1No. 3 bedroom dwelling. Beyond this area is No.6 Emsworth House Close a two storey detached house.
- 1.3 To the east the site is backed onto by 4a, 6 and 8 Record Road.
- 1.4 To the north is Furlong House a block of three storey flats which provides retirement flats understood to be run by Guinness Partnership.
- 1.5 To the west is an area of grassed verge side and the side elevation of a three storey block of flats with the closest being No's 50, 52 and 54 understood to provide retirement housing as part of the Guinness Partnership. Emsworth House Close provides a predominance of elderly accommodation but with other private residential houses to the south.

2 Planning History

APP/24/00232 - Erection of 1No. 3 bedroom dwelling. **Officer Comment:** Current Application on land to the south of the application site.

3 Proposal

The application is for the Proposed erection of a detached three-bedroomed house

including work to Oak Tree subject to a Tree Preservation Order – Pruning of lateral canopy reduction in length of 2.5m to suitable growth points for the southern and south-western quadrants of the trees canopy with branch diameter not to exceed BS:3998 recommendations, raise western and southwestern canopy only to 6m from ground level excluding any scaffold limbs, remove dead, damaged, or hanging branches.

The dwelling would be a two storey house with a pitched roof finished in brick and tiles. Access would be taken from Emsworth House Close where there is an existing dropped kerb.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
DM11	(Planning for More Sustainable Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_M1	(Cycle Storage Provision)
ENP_H1	(Design & Heritage)
ENP_D4	(Design of Public Spaces & External Areas)
ENP_D1	(General Design Policy)
ENP_D2	(Height, Mass & Materials)
ENP_D5	(Integration & Strong Connections)
ENP_D3	(Layout, Form & Density)
ENP_D7	(Mitigate Light Pollution)
ENP_C3	(Public Realm Design)
ENP_D6	(Resource Efficiency)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

HBC Arboriculturalist*Latest Arboricultural Consultation Comments:*

Following our recent site visit, the revised site layout, and the updated Arboricultural Impact Assessment (AIA), I would like to offer the following comments:

Prior to the submission of the current version—specifically in relation to the dwelling positioned adjacent to the off-site Oak (identified as T2 in the Fallen & Found report)—concerns were raised by Hampshire County Council (HCC) on behalf of Havant Borough Council (HBC), as well as by an independent arboriculturist acting on behalf of the tree's owner. These concerns were noted before I became involved in the planning application. I have since reviewed these earlier comments and broadly agree with the issues previously identified.

The most recent AIA submitted (Reference: Q0346\EmsworthHouseClose\AIA+(P)AMS\2024_V3) appears to have taken those concerns into consideration. In my professional opinion, the revised proposal is unlikely to have a significant detrimental effect on the health of tree T2, either through works proposed above or below ground.

While I agree with the updated Root Protection Area (RPA) calculations, I disagree with the tree's categorisation under the British Standard (BS 5837). I would classify T2 as a Category A tree due to its condition, value, and likely contribution to the local environment and landscape.

I therefore raise no objection to this application, provided that the measures and recommendations set out in the submitted AIA are fully adhered to. Should planning permission be granted, I would recommend that a condition be imposed to ensure compliance with the AIA throughout all stages of development.

The development hereby permitted shall only be carried out in accordance with the Arboricultural Impact Appraisal and Preliminary Arboricultural Method Statement (Reference Q0367\EmsworthHouseClose\TPP_V3 2024) and British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations).

Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

Arboriculturalist HCC*Earlier Arboricultural Comments (pre change to siting of proposed dwelling to the north)*

I can confirm that I have been to site and checked the measurement of the offsite oak tree from within the neighbouring curtilage and I agree the dimensions started for the oak tree as 1185mm at 1.5m above ground level.

I also confirm that my findings and comments are generally in alignment with the report from the (redacted) (reference 1357.bjh.let).

There is no justification for any incursion into the RPA of the tree and a dwelling can be accommodated on site without impact to the tree.

My initial comments stand: I recommend a revised location is proposed and the

arboricultural information is updated to reflect the new position and to more effectively safeguard the tree.

Original Comments

comments as follows:

1. Para 2 – site specific considerations states: . The root protection area of each retained tree is outlined as a Grey Hatched dodecagon as indicated on the accompanying plans. A Construction Exclusion Zone (CEZ) marked as a blue striped area has been defined and displayed on the accompanying Tree Protection Plan. This is not reflected on the TPP reference Q0367\EmsworthHouseClose\TPP_V1 2024 clipped below.

2. A key concern is that although the incursion into the RPA for the actual footprint of the building might be acceptable, depending on the density and size of roots found, there is no allowance for working space. The ground protection butts up directly against the external wall position of the rear of the proposal, and even with a pile and beam construction type this will likely impact more than indicated.

3. 3.3.1.4 is to be enforced - a pile & beam construction is acceptable. A standard trench foundation is not.

4. There is a potential for subsidence/heave at this location as the ground will have been acted upon by the T2's roots so if clay is present (likely in this location) then there is a high likelihood of movement. This MUST be taken into account when the foundation design is agreed.

5. Par 3.3.1.5 refers to an extension. This is a new build. 6. There is a good opportunity to slightly adjust the position of the dwelling , rotating it anticlockwise and moving is even slightly further southwest will reduce any potential impact further: indicated as red overlay below:

7. This might 'sit' more naturally in line with Emsworth House Close on the plot as well.

8. The measurements supplied are agreed.

Building Control, Havant Borough Council

Comments in relation to Water Efficiency Calculations

I have looked at the calculations and they appear accurate from what I can tell at the design stage.

Original Comments:

Building Control consent required for this work

No comment

Councillor Reuben Mychalecky

I met up with a resident last night to discuss the 2 houses that are going through planning at the end of Emsworth House Close currently.

She's concerned about the number of vehicles that will be up and down the road during the build and the amount of old people living in the blocks that will need a lot of assistance from emergency services. She said it's already difficult to get down, and

emergency vehicles reverse.

Councillor Charles Robert

No comments received

Councillor Grainne Rason

I am minded to call this one in. I know this site well and I know the problems with parking and access for emergency vehicles is very real. I actually have trouble turning my bicycle around in the road. And I have pictures to show the density of car parking. The tree is huge and obviously has both ecological and heritage value. I am also concerned that if we keep dismissing areas of 'low ecological value' we lose the connections between populations of wildlife.

Former Councillor Lulu Bowerman

No comments received

Former Councillor R Kennett

Yesterday Cllr Bowerman and I met a resident to discuss her concerns about these planning applications.

We were intrigued as to why the applications are separate when the proposals are for the same piece of land by the same developer, so please could you advise?

I guess you've seen the site and parking/access are major problems. An ambulance arrived when we were there (there are a large number of warden assisted and older persons flats, and apparently this is a regular event) and it had difficulty navigating. If a fire engine was to be called when the building was taking place we can foresee big issues.

It would be good to understand your thoughts on the parking and access issues, as we have concerns.

Southern Water

Foul and Surface Water Drainage

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road,

Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at:
SouthernWaterPlanning@southernwater.co.uk

Ecologist HBC

The application is not accompanied by any ecological information. I have carried out my own non-exhaustive desk-based assessment using the application documents, online sources and GIS mapping.

This application site is adjacent to that within the recent application APP/24/00232, for which an ecological assessment was submitted. As with the adjacent plot, the site comprises a relatively small area of modified grassland. Limited Bramble scrub is present at the eastern boundary, with some taller vegetation on the boundary itself. I am content that the site is highly likely to be of limited ecological value overall and of minimal suitability for protected and notable species.

I would imagine that an ecological assessment has been undertaken on this plot, and would request that this is included within the application documents. Assuming that this assessment will include similar conclusions and recommendations as APP/24/00232 I would not envisage any differing consultation advice from me.

Officer Comment: *The report is currently under consideration by the Council's Ecologist and members will be updated in relation to any comments received.*

Emsworth Residents Forum

No comments received.

Hampshire Highways

Further Comments – Received in relation to APP/24/00232 but also applicable to this application

I refer to the further consultation relating to the above application seeking clarification in relation to the proposed access arrangements.

There is an existing dropped kerb access in this location of some 10 metres in length which it is assumed was provided to gain access for maintenance of the open green space area adjacent to the footway on the eastern side of Emsworth House Close. With the likely low number of vehicle movements associated with maintenance it seems that on-street parking occurs along the length of the access. It is however, confirmed that the Highway Code Rule 243 which sets out where vehicles should not park includes parking across an access.

The proposed access for this application and application APP/24/00245, relating to the adjoining site, proposes a dropped kerbed access to each located adjacent to each other therefore accessed from one dropped kerb of reduced width from the existing provision. The proposed combined access will result in a reduction in the length of the existing dropped kerb and as part of the access works the Highway Authority would require the length of the existing dropped kerb, no longer required to provide access, to have full face kerbs and footway levels reinstated.

It is noted that the proposals will provide parking to meet the requirements of the adopted parking policy and standards.

It is clear that there is on-street parking on Emsworth House Close which relates to a

shortfall in parking for the existing properties. The Planning Authority, as Local Parking Authority, may consider that the loss of on street parking where the accesses are to be provided will result in an amenity impact, they may consider it appropriate to require the provision of parking stress survey based on the Lambeth Parking Survey Methodology.

INFORMATIVE

Whilst HCC Highways Development Planning has no objection in principle to the proposed changes to the existing dropped kerb, the developer should be made aware that subject to any planning permission that may be granted by the Local Planning Authority, a subsequent permission will need to be granted by HCC as Highways Authority to undertake the dropped kerb works on the highway.

Having regards to the above comments including the Informative the Highway Authority would recommend –

No objection subject to following conditions:

PARKING PROVISION

Before use of the development is commenced provision for parking shall have been made within the site in accordance with the approved plans and shall be retained thereafter.

Reason - To ensure adequate on-site car parking provision for the approved development.

Original Comments

As the application is for 5 dwellings or less, and there is no required change of vehicle access onto a classified road, Hampshire County Council's Highway Standing Advice should be referred to in the first instance, in particular the planning authority should consider the suitability of the parking arrangements. This can be viewed via the following link - Consultation with the Highway Authority | Hampshire County Council (hants.gov.uk).

Hampshire Biodiversity Information Centre

Within 50m Notable and protected species Stag Beetle, Serotine Bat roost.

Within 2km SPA Chichester and Langstone Harbours

Within 2km RAMSAR Chichester and Langstone Harbours

Within 2km SAC Solent Maritime

Officer Comment: *The on site impacts are addressed by a recommended condition and the impacts on the SPA are addressed in the HRA/AA.*

Nutrient Team

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

It should be noted that there is limited capacity remaining in the Council's mitigation scheme at Warblington Farm. There is alternative mitigation available from third party providers in order to avoid and mitigate the water quality impact arising out of the proposed development. The details of other schemes have been published on the Partnership for South Hampshire's website at:

<https://www.push.gov.uk/work/mitigation-schemes-available-to-developers/>.

Natural England

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would have an adverse effect on the integrity of European designated sites.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution(s) which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development. Mitigation measure(s) to offset any positive nutrient budget should be provided within the relevant catchment area(s).

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered, and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further Advice

Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process. The advice within this letter should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended).

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

This application may lead to an increase in residential accommodation. Natural England is aware that your authority has adopted planning policy to mitigate against adverse effects from recreational disturbance. Provided that the applicant is complying with the policy and the Bird Aware Definitive Strategy, Natural England are satisfied that the Applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s) and has no objection to this aspect of the application. Please note, your authority's appropriate assessment should reflect the current developer contribution rates, which are updated every April in line with the Retail Price Index.

Your appropriate assessment dated 08 July 2025, concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the European sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be

assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant.

Deterioration of the water environment - Nutrient Neutrality

As Competent Authority it is your responsibility to ensure that you are confident that there is sufficient information to support the values used in any nutrient budget calculation that supports this application, and that any nutrient budget calculation(s) are correct.

Bespoke Occupancy

Where any bespoke occupancy value has been used within the calculator tool, it is Natural England's view that competent authorities may choose to adopt bespoke calculations for detailed planning applications, if sound robust evidence is available. These are matters for each competent authority. Natural England's advice is to take a precautionary approach that recognises any uncertainty.

Package Treatment Plant

Please note that for any budget that includes use of an onsite Package Treatment Plant (PTP), yourselves as competent authority should be satisfied that any bespoke effluent discharge figure has been suitably evidenced. This could be through using a performance test certificate, via adequate robust real-world monitoring data (minimum 12 months representing typical operation), or if these are not available then through use of the precautionary default figure within the nutrients budget calculator. The planning application should be supported by a PTP monitoring and maintenance plan. Please refer to the Environment Agency for comments on wider environmental consideration associated with PTPs and any advice in relation to permits.

Sustainable Drainage System

Where calculations include removal of nutrients through on-site Sustainable Drainage Systems (SuDS) it is essential for your authority to verify that the necessary supporting evidence has been submitted, as that forms the basis for the SuDS calculations. As highlighted in the guidance that accompanies the calculators on Gov.uk, Natural England advises that SuDS calculations should be undertaken in accordance with CIRIA guidance (C808 – Using SuDS to reduce phosphorus in surface water runoff (2022) and/or C815 – Using SuDS to reduce nitrogen in surface water runoff (2023)). In addition, the SuDS features require monitoring and management in perpetuity. Your authority must ensure that a robust ongoing management plan is appropriately secured and is enforceable in any planning permission given.

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: 53

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received Number of representations received 39 individual

Objections including from Emsworth Sports and Social Club and a petition with 30 names (which included 22 additional names to those who had already submitted an individual representation).

Petition

The petition was accompanied by an email raising concerns about parking concerns including limited parking facilities for visitors and need for Ambulances, fire Engines and Delivery Drivers having to request cars to be moved to facilitate access.

Some residents have previously complained to Guinness about cars being moved advised to park in Beach Road which resulted in rude notes glued to windscreens, glue poured in locks and a car being damaged.

Residents of Furlonge House mostly elderly and do not have capacity to walk/carry heavy loads a long distance from surrounding streets so parking close to home is needed. Further development would mean more cars and 4 to 5 less parking spaces.

No consideration given to welfare of the existing residents. A simple solution would be to facilitate parking bays in the land opposite to the proposed development.

From the individual letters the following issues have been raised:

Parking

Residents drives often blocked by visitors.

Loss of at least 3 parking spaces

Impact on parking for emergency services, refuge and delivery traffic.

3 bed house could have family of four – at some point must be assumed every member of family driving their own vehicle – not taken account of.

Family and friends visits.

If company that brought the land want to make money on purchase – to help the residents turn into a car park for residents and charge a nominal monthly / yearly fee for each space.

Emsworth Hose Close is notorious for poor access and parking.

Drives constantly partially blocked.

Further dropped kerbs will just exacerbate the situation where many residents seek parking in adjacent roads.

Not enough parking form current residents.

Record Road already used for overflow parking regularly creating potentially very dangerous situations at the junction with Havant Road.

Will take away parking spaces and those vehicles have no option but to park on adjacent roads.

Record Road is also bike route and walking route to Emsworth Primary School now the only nearby road without double yellow lines leading to Havant Road junction.

Parking too close to junction almost certain to happen if there is no room elsewhere on Record Road.

During school drop-off and pick-up times, Record Road is under additional pressure for parking and will make it more dangerous at the junction and more difficult to negotiate.

Carers and family struggle to park or to pick people up or drop off safely.

Frequent parking issues for residents, carers and family

Many residents already struggle to find parking spaces and have no alternative but to park in surrounding roads.

Parking over my access point.

Will there be off street parking for their friends & relatives?
 Will lose three parking spaces.
 Will just add to the existing nightmare of us not being able to park where we live.
 Quite a few of our members are residents in the Close and Furlonge House – 3 of them use club regularly to park their cars as unable to do so in own street.
 Parking known ongoing problem for years, surely the land should have been looked at for parking and safety rather than money making.
 Problems dropping off residents and turning issues.
 Residents of Emsworth House Close have to be over 55 to qualify for a flat at this address. Many are a lot older.
 They consist of people who are very elderly, frail, infirm and disabled.
 There are a lot of flats and many still drive – as a result parking is at a premium and if parking spaces removed for new dwellings the current residents will suffer.
 Some residents unable to walk far require easy access to their cars.
 Residents carrying shopping or even light loads need to be close to where they live and if they have to park around the corner or over the road will suffer.
 Carers and Nurses need to be able to park.
 Residents will suffer at the price of a building company making a profit.
 Narrow Road with already limited parking – residents have to park in other roads
 Parking in the road is already oversubscribed due to the lowering of the age entitlement of Furlonge House by Guinness who have made no attempt to provide additional parking.
 Carers and Nurses need to be able to park.
 Will require dropped kerbs to access houses – reducing parking.
 Blocking of driveways.
 How do the council propose to ensure access to our/neighbour's propose to ensure access to our/neighbour's properties not affected further during the proposed construction.
 Lack of parking increases impact on people with poor health.
 Cars parked on yellow lines as there is a shortage of spaces.
 Many residents require support from care staff who also need to be able to park.
 People with mobility scooters already have difficulties with dropped kerbs.
 Parking taking place on grass opposite.

Parking Survey

Size of on road parking spaces questioned
 Are spaces in dropped kerbs?
 Angles of photographs showing spaces questioned.
 Photos of the real parking issues submitted.
 No parking spaces when I get home from work at 6am.
 10th March
 5.40pm: - No available parking spaces - 6pm: - 1 available space.
 12th March
 6am: - No parking spaces. Car parked on pavement due to lack of available parking spaces - 8am: - No parking spaces - 3pm: - 1 available parking space, but 2 vehicles parked on yellow lines at end of road - 6pm: - 1 Available parking space
 13th March
 6am: - 1 available parking space - 9am: - 2 available parking spaces - 3pm: - 1 available parking space
 14th March
 6am: - 1 available parking space, but a vehicle parked on the pavement
 1.30pm: - No available parking spaces
 5.40pm: - 1 available parking space
 6pm: - 1 available parking space

15th March

8.30am: - 1 available parking space, but a vehicle parked on pavement

Residents of the 4 blocks of flats and houses in the road do not believe the survey to be an accurate representation of the parking situation in Emsworth House Close.

Parking has always been an issue here and at no time has there ever been 8 parking spaces available as indicated on the 20th February in the survey.

Residents have received parking tickets parking in turning area as no other parking.

Emergency Vehicle Access

Ambulance could not access the end of the cul-de-sac due to vans obstructing the road.

Given demographics of the street emergency services frequent visitors. Any construction will cause major disruption to residents, safety and wellbeing concerns.

Observed fire engine trying to reverse back down the close after being called out.

How will risks be managed during construction

There is already serious safety issues with parking and access for emergency vehicles.

Many older people often need emergency services. Challenging due to narrow street and number of vehicles already parked in road.

major concerns over access for emergency services vehicles, which already pose an issue due to the demographics of the street.

Close access is very narrow with limited space for vehicles to turn, further exasperated by vehicles consistently blocking the yellow hashed turning area at the end of the close.

On numerous occasions, this has caused problems for emergency service vehicles, who then have to reverse back down the entire length of the close- particular concern during construction.

Will the Council be conducting a risk assessment to minimise the impact of potential life-threatening situations, where emergency vehicles already struggle to access the close. Will risk assessment seek to identify potential risks to pedestrians/people using mobility aids accessing the street?

Concern at the Planning, Design and access statement and impacts on emergency access to the whole street.

Fire engine has to reverse back down the road because there is nowhere to turn round.

Loss of Green Space

Why does every bit of land have to be built on?

This development is not necessary to be crow-barred into the area and should be avoided.

Residents have limited green space, developing this will reduce it further.

Impact on Trees

Concerns about potential impact on 350 year old oak tree.

Council's Principal Arboriculturalist agrees the tree is classified "as a Category A tree due to its condition, value and likely contribution to the local environment and landscape".

Find it difficult to square with his raising no objection given that it includes pruning lateral canopy by 2.5m and raising the western and south western canopy to 6m from the ground.

Inconsistent with need to protect tree's contribution to local landscape/amenity.

Ask for the matter to go before Planning Committee – who should be made aware of significant number of objections in relation to the tree, impact on parking and emergency vehicle access.

Should Planning Committee/Planning Development Department be minded to approve

– ask for conditions recommended by Arborist to be imposed.

Planning Committee may be interested to learn that PG. Wodehouse lived at 6 Record Road 1904-1914. May share our disappointment that amenity enjoyed by Mr Wodehouse over 100 years ago is potentially being put at risk.

Risks posed to our very large 350-year-old oak tree which is subject to a Tree Preservation Order.

Tree is situated immediately adjacent to the fence separating our two properties.

The oak tree is very much a local landmark and much appreciated by the local residents - regard ourselves as being its custodians for future residents of the area.

Tree Preservation Officer inspected the tree and recommended it is upgraded to Class A tree – warranting highest level of protection. She considers it is in good health and important part of the visual amenity of the area.

We commissioned a report from local arboricultural consultation, on the potential impact of building on the land adjacent to Furlonge House might have on the oak tree. of which is enclosed).

key phrase in his report states “This development would lead to the undermining of the amenity value of this oak tree and very probably have a significant effect on its ongoing health and viability”

He has considered the Arboricultural Impact Appraisal submitted by the developer and makes the following points:

The tree will dominate the garden space surrounding the proposed new house and proposed development constitutes over-development.

If the proposed development is to go ahead then the tree must be pruned back. That places the tree under threat. The Tree Preservation Officer commented that the request for consent to prune up to a height of 6 metres is inappropriate. Such heavy lopping would be detrimental to the visual amenity of the tree.

The Application does not address how the development will ensure the continued viability of the tree given the intrusion into the root system.

The proposed excavation on the site will cause considerable damage to the tree and sever roots.

Application also proposes the cutting down two smaller sycamores and an ash tree - further impacting on the area's visual amenity.

This would not be in keeping with the advice in the NPPF (2023) which states ‘Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.... existing trees are retained wherever possible’.

Object to detrimental effect the construction of property likely to have on the health of the ancient oak tree.

Tree a significant contributor to the health of our ecosystem any development that would put its health & wellbeing at risk should not be allowed.

Building will damage root system and pruning put it under threat too.

Loss of other mature trees to detriment of the amenities of the local area.

Two plots should be combined and any development of the combined site redesigned to not effect the major Oak Tree.

House overshadowed by trees canopy.

In recent times too many mature trees cut down in this part of Emsworth.

Will builders respect TPO tree and not excavate near roots?

Will require cutting back of ancient trees under a TPO and cause damage to root system, that could result in the death of the trees.

Proximity to the development all but guarantees sustaining damage and result in impacting areas visual amenity contrary to NPPF.

No way development of this sort can be carried out without doing significant and devastating damage to oak tree close to proposed building – to roots and branches.

Heavily impacting biodiversity and aesthetic of area.

Felling of three other trees in same area.

Once buildings occupied inevitably need to be reduced further as it will dominate and shade the garden beyond what a new buyer might deem acceptable levels.

Foundation impact on trees health and lifespan.

Plans can only cause greater issues for floods and drainage in the area by destroying such a large tree.

People in ill health need opportunity to rest, a construction site will be noisy and may further complicate existing health conditions.

Separate application concerns

Developer appears to have tried to circumnavigate the overage change by submitting two applications.

Developer appears to have tried to circumnavigate the overage change by submitting two applications.

Is this to avoid the overcharge applied to sale of the site or in the hope that older people would not realise the applications were separate and only object to one.

Questionable why two separate applications.

Are two applications in hope that people would only object to one?

When the plot of land was up for sale, it came with an overage condition. Can I ask if submitting two separate planning proposals is a method deployed to circumnavigate the overage condition?

Construction impacts

Safety and additional strain that building works will cause whilst development takes place has not fully been addressed.

Developer stated would have deliveries at certain times of day – no way this can be guaranteed – who knows when an ambulance is needed? Safety of residents needs to be main priority here.

Construction - How will they ensure safety of the residents who use scooters or those with poor mobility, hearing or sight impairments?

Lorry delivering in the road and a car had to wait 30 minutes – what will happen if this is an ambulance or fire engine during construction?

Nightmare for disabled residents, who rely on mobility scooters & electric wheelchairs to go out, if the building goes ahead.

Construction will limit emergency access.

Disruption and noise will adversely affect well-being of residents.

Little or no room for contractors and delivery vehicles to operate.

Road not constructed to facilitate heavy goods vehicles and damage to kerbs and the road in general will suffer as it has already.

Road was not constructed to facilitate heavy goods vehicles and damage to kerbs and the road in general will suffer as it has already.

Construction will cause additional difficulties for disabled and elderly residents and their ability to park on road.

Occupants and visitors are already having to park in Beach Road opposite Emsworth House Close which has caused problems in the past for other residents of Beach Road.

Many older people often need emergency services. Challenging due to narrow street and number of vehicles already parked in road.

Impact of construction on users of mobility scooters.

Builders and lorries only going to worsen the issues that as residents, we experience every day.

Overlooking

The rear windows on the first floor look directly over our back garden area where we sit and will be invasive of our privacy.

Perhaps frosted or privacy glass and non-opening (transom windows above could

open) might be an option?

Infrastructure

Houses will add to existing pressure on doctors and schools.

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity (existing and future residents)
- (iv) Highway matters including parking
- (v) Impact on Trees
- (vi) Ecological Issues including Biodiversity Net Gain
- (vii) Other matters (Flood Risk, Construction Phase impacts)

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

In addition, the Council is unable to demonstrate a five year housing supply. The proposal would make a very modest contribution to housing need, and this benefit needs to be given appropriate weight in the planning balance.

7.3 The National Planning Policy Framework 2024 paragraph 11 *Presumption in favour of sustainable development* states that:

For decision-taking this means:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

7.4 It should be noted that d) above includes for applications involving the provision of housing situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffers). The principle of development in this location is therefore supported.

(ii) Impact upon the character and appearance of the area

7.5 The site (together with the adjacent site for planning application APP/24/00232) is an open area of grassed land located to the east of Emsworth House Close. It is open to the roadside and with a mixture of fencing and hedging to most of the other boundaries, the site also includes several trees to the northern side.

- 7.6 The site has not been identified as a Local Green Space in the Council's Policies Map and is not public open space (although it is recognised that the land may have been used informally by nearby residents as there is no barrier to accessing the land). In the past the site included a Red Cross building which has long since been removed from the site.
- 7.7 The proposal involves the provision of one three bed dwelling on the northern part of the wider land between Furlonge House and No.6 Emsworth House Close. The proposed dwelling would be set back approximately 4m from the Close. Access would be on the southern side of the plot and lead to two parking spaces. The building would be a two storey, pitched roof dwelling with red brick with red roof tiles. There would be small areas of cedar cladding and reconstituted stone cill and window surrounds.
- 7.8 The dwelling would have a height to ridge of approximately 8.3m and the roof would slope back when viewed from the road. The building would be slightly taller than No.6 (approximately 0.6m taller) and lower than the three storey Furlonge House (approximately 2.1m lower). It would also be the same height as the proposed dwelling on the site to the south.
- 7.9 Whilst it is recognised that the loss of the open green site would change the character of this part of Emsworth House Close, by infilling an existing gap in the built up frontage of the Close the proposal is considered to have an acceptable visual impact and would not be out of character with existing development. The proposed building is traditionally designed and subject to a condition to ensure final material details are acceptable, would fit into the established character of the area and in particular the houses to the south of the site and to the east of the Close. The site is not public open space and is not recognised as a Local Green Space in the Council's Policies map, and thus there is no policy basis on which to resist the loss of this small parcel of available land within the urban area.

(iii) Impact upon residential amenity (existing and future residents)

- 7.10 There are two aspects to consider in relation to this matter, the impact on existing residents from the development and whether the development would offer a suitable living environment for future residents. Consideration of highway matters and the impact on amenity are assessed in 7 (iv) below.

Existing Residents

- 7.11 The closest properties in relation to this development are No.6 Emsworth House Close, 4a, 6 and 8 Record Road, Furlonge House, Flats to the west of Emsworth House Close.
- 7.12 No.6 Emsworth House Close lies to the south of the proposal, beyond an area of grassed land currently subject to application APP/24/00232. No.6 is sited a minimum of 23m from the flank wall of the proposed house (to the attached garage of No.6), given the separation distance it is not considered that this relationship would be unneighbourly.
- 7.13 No.4a Record Road is located to the rear and south of the proposed building and east of the site. No.4a is a backland type development served from a private access drive from Record Road. The proposed dwelling would be sited approximately 17m (minimum) from No.4a at ground floor level and 18m (minimum) at first floor level. No.4a has two small living room windows at ground floor level and one first floor

obscure glazed window facing the proposed dwelling at an angle. The proposed dwelling includes two east facing windows first floor– a small landing window and study/bedroom window. It is noted that there is tall boundary screening between the properties and the properties would be set at an angle reducing any direct views. The proposed windows at first floor level are not considered to result in unneighbourly overlooking.

- 7.14 No's 6 and 8 Record Road are set a minimum of 50m from the rear wall of the proposed building and with substantial boundary screening, it is not considered that the proposals would result in an unneighbourly impact on these properties.
- 7.15 The proposed dwelling would be set closest to Furlonge House a three storey block of flats providing elderly accommodation. This property is set at an angle to the application site such that the main windows in Furlonge House effectively face towards the road. The closest part of Furlonge house to the site is a single storey projection to the ground floor which includes a communal lounge. The lounge includes a large window facing south. The proposed dwelling would be set in a position such that the direct view from the communal lounge would be retained to the south. The flank wall to the new dwelling would be to the south-east with a minimum separation distance of a 8.8m. The flank elevation to proposed dwelling would contain 1 first floor obscure glazed window serving a bathroom and a ground floor French door serving the kitchen, dining/family area. This relationship is considered acceptable retaining a southern outlook from the communal lounge and a grassed amenity space for the residents of the flats.
- 7.16 Finally the flats to the west of Emsworth House Close are located approximately 23.4m (minimum) from the front of the proposed dwelling and with open land forming the setting to the flats set closest to the proposed dwelling. The proposal is not considered to result in unacceptable overlooking to the flat blocks.

Future Residents

- 7.17 In relation to the impact on future residents of the property, the main aspects to consider are internal and external amenity space.
- 7.18 In terms of internal amenity space the property is shown as a 3 bed 5 person, two storey property. Under the Technical Housing Standards – nationally described space standard - such a property has a space standard of 93sqm. The proposal has a floorspace of 102sqm and therefore exceeds the space standards.
- 7.19 In terms of the external amenity space, the rear garden varies in depth between 10.6m and 14m plus. This meets the 10m depth guidance in the Havant Borough Design Guide SPD. The garden would also have a width of between 17m and 22.4m. Further comments are provided in paragraph 7.46 in relation to the impact of the oak tree on the residential amenities of future occupiers. It is considered that the relatively spacious external amenity space would allow for an acceptable external amenity space for this family accommodation.
- 7.20 Finally, the application has been considered in the context of application APP/24/00232 on a without prejudice basis. If both properties are granted planning consent the southern elevation of this application has one ground floor lounge window facing the adjacent plot to the south. The proposed house to the south would have one first floor obscure glazed bathroom window and a ground floor open plan kitchen/dining area window facing north. The two properties would be separated by two driveway widths and set at a slight angle to each other. It is considered that there

would be an acceptable and limited impact between the properties should both receive planning permission.

(iv) Highway matters including parking

- 7.21 It is recognised that many of the objections received in relation to the application relate to highway matters. The proposal is for a single dwelling and must be determined on that basis, however, the proposal has also been considered with the separate proposal for a single dwelling on the site to the south with information submitted for both applications. In terms of Highway matters, there are considered to be three main issues - access to the site and associated impacts on Emsworth House Close; parking issues; and potential impacts on emergency services. These matters are considered below.

Access to the site and associated impacts on Emsworth House Close

- 7.22 Whilst it is recognised that Emsworth House Close is relatively narrow and has parked cars further restricting the width of the Close it is noted that Emsworth House Close serves a large number of properties and the addition of a single (or in combination two dwellings) is not considered to result in a significant change to the overall number of vehicle movements in the Close or to the junction with Havant Road.

- 7.23 The National Planning Policy Framework at paragraph 116 states:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Having Regard to the very limited scale of the development it is not considered that the extra traffic associated with the development would result in an unacceptable impact on highway safety or that the cumulative impacts on the road network would be so severe such as to warrant a refusal of planning permission.

Parking Issues

- 7.24 Parking issues have been raised extensively in the representations received. It is fully recognised that parking is a significant issue within Emsworth House Close. This has been witnessed during the case officer's site visits where on one occasion no parking was available in the Close, whilst on other visits limited parking has been available. The parking issue appears to be mainly a result of there being no off road parking for Furlonge House or the other three blocks of flats fronting Emsworth House Close. Whilst the Close widens at its western end with parking on either side of the road this does not appear to meet demand. It is understood that Furlonge House is managed by Guinness Partnership for over 55's, that some of the residents have cars and visitors or care staff / emergency services also access the site and park in the Close.
- 7.25 New dwellings are required to provide car parking in accordance with the Council's Parking SPD 2016 (Partially updated September 2019). This requires the provision of two parking spaces for a three bedroom dwelling. Two spaces are provided within the curtilage of the proposed dwelling and therefore the parking standards are met in this case (and for the proposed property to the south).
- 7.26 Notwithstanding this, given the concerns of residents the impact of the access and potential loss of existing on street parking has been considered further. This has

resulted in the access to both proposed properties being sited adjacent to each other (should the applications both be approved) so as to limit the length of the dropped kerb with one rather than potentially two access points serving the proposed dwellings.

- 7.27 Furthermore there is currently a dropped kerb providing access to the land and the applicants agent has questioned whether parking should take place where the existing dropped kerb exists. To test this further the County Highways Authority were re-consulted and the following comments provided:

There is an existing dropped kerb access in this location of some 10 metres in length which it is assumed was provided to gain access for maintenance of the open green space area adjacent to the footway on the eastern side of Emsworth House Close. With the likely low number of vehicle movements associated with maintenance it seems that on-street parking occurs along the length of the access. It is however, confirmed that the Highway Code Rule 243 which sets out where vehicles should not park includes parking across an access.

The proposed access for this application and application APP/24/00245, relating to the adjoining site, proposes a dropped kerbed access to each located adjacent to each other therefore accessed from one dropped kerb of reduced width from the existing provision. The proposed combined access will result in a reduction in the length of the existing dropped kerb and as part of the access works the Highway Authority would require the length of the existing dropped kerb, no longer required to provide access, to have full face kerbs and footway levels reinstated.

- 7.28 The latest plans indicate that the 5m of the existing dropped kerb would be retained to serve the two dwellings and the rest of the dropped kerb would have the kerb re-instated. A condition is recommended to ensure that this is the case should planning permission be granted. This would provide a benefit by enabling parking to take place in the area of the reinstated kerb without any risk of breaching the Highway Code.
- 7.29 In addition, the agent was requested to carry out a Highways Technical Note - parking survey to seek to quantify the current parking issues. This sets out that the existing dropped footway crossing extends to approximately 10m (or the length of 2 on-street parking spaces) and that as part of these applications a 5m section of the dropped footway will be reinstated, which effectively provides an additional legitimate on-street parking space for local residents to use.
- 7.30 The initial section of Emsworth House Close near its junction with Havant Road has double yellow lines preventing parking. In addition, white bar markings at the turning head between 65 Havant Road and 2 Emsworth House Close also prohibit on-street parking. The width of Emsworth House Close also ensures that cars can generally only park on the eastern and northern side without causing obstruction. Towards the end of the Close the road widens so that parking can also take place on the southern side as well as the northern side. The far western end of the Close also has yellow hatching parking restrictions to allow turning. The parking survey has assessed the areas which do not have restricted parking.
- 7.31 The surveys were undertaken in two batches, the first between 15th -17th January 2025. The results and timings of the surveys are shown below:

Emsworth House Close Car Parking Surveys		
Date	Time	Spaces Available
Wednesday 15 th January	1:00PM	6 Spaces
	6:00PM	4 Spaces
Thursday 16 th January	8:00AM	4 Spaces
	1:00PM	7 Spaces
	6:00PM	6 Spaces
Friday 17 th January	8:00AM	5 Spaces

As can be seen in all cases on street spaces were identified ranging between 4 and 7 spaces available.

- 7.32 The planning case officer requested further surveys over an extended period (additional full week) and with addition hours be provided given the sensitivity of the issue of parking for residents. The results are provided below:

Emsworth House Close Additional Car Parking Surveys		
Date	Time	Spaces Available
Sunday 16 th February	2:30PM	5 Spaces
	23:00PM	3 Spaces
Monday 17 th February	6:00AM	3 Spaces
	10:30AM	4 Spaces
	2:30PM	5 Spaces
Tuesday 18 th February	6:00AM	5 Spaces
	2:30PM	4 Spaces
	23:00PM	3 Spaces
Wednesday 19 th February	6:00AM	3 Spaces
	10:30AM	5 Spaces
	2:30PM	5 Spaces
Thursday 20 th February	6:00AM	3 Spaces
	2:30PM	8 Spaces
	23:00PM	4 Spaces
Friday 21 st February	6:00AM	3 Spaces
	10:30AM	4 Spaces
	14:30PM	4 Spaces
Saturday 22 nd February	6:00AM	3 Spaces
	10:30AM	3 Spaces
	14:30PM	5 Spaces
Sunday 23 rd February	6:00AM	3 Spaces

The additional survey identified that there were always parking spaces available with a minimum of 3 spaces available in the Close. The Technical Note states that:

Emsworth House Close has now been surveyed a total of 27 times during different days and at different times and on each occasion, there has been found to be spare capacity to accommodate any displaced parking. The surveys can therefore be considered as robust evidence that EHC has the ability to accommodate additional on-

street parking without any due hindrance to the safe operation of the cul de sac.

- 7.33 The parking survey includes photographs of the available parking for each of the days and times and the photographs have been checked against the parking space available. Assessing photographs against parking spaces available is not a precise matter and therefore the assessment by the planning case officer cannot be precise. In general terms when checking the photographs against the claimed spaces there were found on the basis of best estimate to be slightly less usable spaces than claimed. Nevertheless, the minimum number of spaces on any of the survey points appears to be two and in most cases more with four spaces being the average parking available. It is noted that the parking survey has been criticised by a third party and whilst the parking survey appears to have overestimated parking available to a degree, following a check of the evidence it is considered to be a good baseline for the parking subject to the comments above.
- 7.34 It needs to be recognised that it is not for the applicant to solve existing parking capacity issues in Emsworth House Close. It is necessary to assess whether matters are made worse by the development and if so, is any impact sufficient to warrant a refusal of planning permission.
- 7.35 In summary, the proposal provides on site parking for the two dwellings in accordance with the Council's Parking SPD. The proposal will reduce the length of an existing dropped kerb from approximately 10m to 5m. Whilst parking has historically taken place within the dropped kerb area the Highway Authority have confirmed that this is contrary to Highway Code Rule 243. The proposal includes the provision of kerbing to 5m of the existing dropped kerb allowing for parking on the road in an area previously a dropped kerb. The proposal would include a 5m wide access (if combined with the adjacent proposal) which would remove 1 space where parking has taken place albeit that this was within a dropped kerb area. Finally, whilst there is no doubt that parking in the Close is very limited, the parking survey and photographs show that over a range of days and times some parking has been available.
- 7.36 In conclusion on parking, it is not considered that the proposed development either of this proposal or in combination with the proposed development of the adjacent site would result in an unacceptable impact on parking in Emsworth House Close that would warrant a refusal of planning permission.

Potential impacts on emergency services

- 7.37 It is recognised that with elderly resident accommodation within the Close there is a need for emergency vehicles and carer access in particular to the end of the Close. There are a number of representations raising concerns in relation to this matter. Construction period concerns are addressed in (vii) below.
- 7.38 Given that the proposal provides on site parking for future residents it is not considered that the occupation of the house and if approved the development of the adjacent site would result in additional access issues to emergency vehicles.
- 7.39 There is clearly a concern that emergency vehicles including ambulances and fire engines have on occasion had to reverse down the Close as they have been unable to turn close to the building. This is understood to be the result of cars being parked in the turning head at the end of the Close which is marked with yellow hatching. Whilst this issue is understood, it is an existing issue and in planning terms it is not the responsibility of the current planning application to solve this problem. It is not anticipated that the proposal would increase issues in relation to emergency vehicle

access.

(v) Impact on Trees

7.40 The application has been accompanied by an Arboricultural Impact Appraisal & Preliminary Arboricultural Method Statement (this assessment also covers the proposed site to the south). The Arboricultural report identifies trees both with the site boundary and beyond. The most significant tree is T2 an Oak Tree subject to a Tree Preservation Order located within the rear garden of No.6 Record Road. This is categorised as a Category B tree in the report, however, it is important to note that the Council's Arboriculturalist has assessed the tree as Category A due to its condition, value, and likely contribution to the local environment and landscape. He has also assessed the proposals impact on the tree on the basis of it having a Category A status. The siting of the proposed dwelling has been altered in the course of the consideration of the application to address concerns in relation to the impacts on this tree such that the dwelling is now proposed to be sited further forward on the plot increasing the distance between the tree and the building.

7.41 The Arboricultural Report sets out the proposed works to the oak tree and tree protection methods to seek to ensure the trees retention and continued well-being.

7.42 In relation to the proposed works to the tree, these are as described in the application description:

Pruning of lateral canopy reduction in length of 2.5m to suitable growth points for the southern and south-western quadrants of the trees canopy with branch diameter not to exceed BS:3998 recommendations;

Raise western and southwestern canopy only to 6m from ground level excluding any scaffold limbs, remove dead, damaged, or hanging branches.

7.43 The Council's Principal Arboriculturalist has commented as follows:

The most recent AIA submitted (Reference: Q0346\EmsworthHouseClose\AIA+(P)AMS\2024_V3) appears to have taken.....concerns into consideration. In my professional opinion, the revised proposal is unlikely to have a significant detrimental effect on the health of tree T2, either through works proposed above or below ground.

7.44 The Arboricultural Assessment also considers the following other less imposing trees:

T1 Common Ash – 'U' category has been identified beyond the eastern site boundary and does not pose a threat or constraint to the development. No works are proposed to this tree.

T3 Sycamore – 'C' category is shown within the site and is to be felled. It is described as *Tree suppressed by large Oak. Bifurcated stem.*

T4 Sycamore – 'C.2' shown within the site is to be felled. It is described as *A leaning tree with westerly biased canopy. Suppressed by adjacent Oak.*

T5 Common Ash – 'C.2' shown within the site is to be felled. It is described as *A small ash tree.*

These trees are described further in the report as *Three low-quality (Category-C) trees are required to be removed to facilitate the construction of the proposal. These trees*

have been suppressed by the large Common Oak tree leading to poor form and biomechanical defects such as compression forks and bifurcated stems. No objection to the felling of these trees has been raised by the Council's Arboriculturalist. It is however important from an amenity and ecological point of view to ensure that additional planting is provided and a condition is recommended to secure this.

- 7.45 The Arboricultural Report recommends tree protection fencing during the construction phase to provide a construction exclusion zone. In addition, temporary ground protection and temporary ground protection piling are proposed. The Council's Arboriculturalist raises no objection to the proposals subject to a planning condition to ensure that the development is carried out in accordance with the Arboricultural Report and a condition is recommended to ensure this.
- 7.46 Finally consideration has been had as to whether future residents would have acceptable amenity levels given the proximity to the large oak tree. The tree is located to the north east of the proposed building such that sunlight is likely to be impacted in the morning but the sun would then track to the south of the house for much of the day beyond the tree. The raising of the crown on the side facing the proposed house would also reduce the dominance of the tree within the back garden of the house. It is considered that the proposed house can be provided with a good quality rear amenity space whilst retaining the important oak tree in good health.

(vi) Ecological Issues including Biodiversity Net Gain

- 7.47 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 (as amended). The Council's assessment as competent Authority under those 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 Solent European Sites (as defined in the applications HRA) due to both the increase in recreation and the decrease in water quality that would be a result of the proposed development.

The planning application was then subject to Appropriate Assessment under Regulation 63. This included two packages of avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement and Mitigation Plan for Nutrient Neutral Development. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages.

The Appropriate Assessment concluded that the avoidance and mitigation packages are sufficient to remove the significant effects on European Sites which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages. The relevant contributions have now been paid.

- 7.42 In terms of on site ecological matters the application has been accompanied by an Ecological Impact Assessment which includes a desktop assessment and site walkover survey. This identified habitats and potential for protected species.

Habitats

- 7.43 The baseline habitat is an area of short sward modified grassland with some sparse ruderal species (containing some horticultural/garden types) at its edge. One small parcel of (recently cleared) bramble scrub was identified on site. Immediately adjacent are hedges and the Oak Tree. Along the northern boundary were single stands of immature multi stemmed sycamore *Acer pseudoplatanus*, Rowan *Sorbus aucuparia* and an unidentified fruit tree (pollarded to ground level, with suckers rising from it).
- 7.44 The assessment sets out that the site would be de-vegetated and cleared in order to complete the development. Impacts to the adjacent hedgerow and trees exist primarily during the construction phase.
- 7.45 In terms of mitigation, the report states that due to the low ecological value of this relatively small area of short sward modified grassland, general enhancement to the site will be sufficient to mitigate the removal of the on site habitat. Hedge and tree protection is recommended.

Protected species

- 7.46 In relation to protected species the following assessments and recommendations have been made in the submitted report which are summarised below:

Bats

Baseline position

The adjacent oak tree has potential to support multiple numbers of bats. The immediate site area is lit well by nearby street lights, foraging/commuting habitat is limited to urban gardens and non native hedgerows.

Potential impacts are identified as follows:

- Oak Tree not designated for removal
- Tree has potential to be impacted by the works to its canopy. – potential to disturb bats that may be using the identified roosting feature.
- Light spillage from the development has potential to disturb bats that may be using oak for roosting or urban gardens for foraging/commuting.

The following mitigation is recommended:

- High level inspection of Oak for potential roosting feature required to assess its status with regards top bats.
- Sensitive lighting scheme should be employed to prevent negative impacts on bats.
- Given avoidance/mitigation strategies, it is considered likely that there will be no impacts on bats.

Reptiles/Amphibians

Potential impacts are identified as follows:

- De-vegetation and clearance of the site presents some low, localised risks to amphibians and reptiles that may be on-site.

The following mitigation is recommended:

- advised that the grass vegetation on site is kept mown short and that any taller herbs and brambles are regularly cut back as they presently are. This will help prevent the site becoming suitable habitat for amphibians/reptiles/ mammals in the lead up to development and help ensure that impacts to any species will be

- kept to a minimum when development works begin.
- Given the above avoidance /mitigation strategies, it is considered likely that there will be no residual impacts on reptiles/amphibians.

Dormice - Not thought the works will impact dormice habitat.

Other Terrestrial Mammals

Mitigation:

- Pre-works check for badger activity.
- Mitigation measures as per reptiles/amphibians sufficient to protect hedgehogs and terrestrial mammals during works.
- General mitigation measures set out.
- Given the above avoidance /mitigation strategies, it is considered likely that there will be no residual impacts on terrestrial mammals.

Nesting Birds

Potential Impacts:

Potential impacts to this habitat consist mostly of potential damage and disturbance during the works phase of the development to both on site and off site adjacent habitat. Any impacts arising from the works are considered low and of a localised, temporary nature.

Mitigation:

- Preferable for works to commence outside of nesting season (March to August inclusive), if this is not possible then initial site clearance should be carried out under supervision of a suitably qualified ecologist prior to the commencement of works
- Given the above avoidance/mitigation strategies, it is considered likely that there will be no residual impacts on birds.

Invertebrates:

Mitigation:

- Mitigation for any loss of insect habitat will involve a biodiverse landscaping and planting scheme post development.
- Given the above avoidance/mitigation strategies, it is considered likely that there will be no residual impacts on insects.

7.47 The report makes recommendations in relation to the provision of a wildlife beneficial landscaping scheme, bird nest bricks or tree mounted boxes are suggested and provision of building mounted bat boxes.

7.48 The Council's Ecologist has been consulted in relation to the Ecological Report and members will be updated in relation to any comments received. It is likely that an Ecological Condition will be required should consent be granted.

7.49 In relation to Biodiversity Net Gain the application was submitted prior to the requirement for BNG and is therefore exempt from these requirements.

(vii) Other matters (Flood Risk, Construction Phase impacts)

Flood Risk

- 7.50 In relation to Flood Risk the site is located in Flood Zone 1 (low flood risk). Subject to recommendations in relation to Surface Water and Foul Water drainage the development is considered acceptable.

Construction Phase impacts

- 7.51 Concern has been raised in relation to the construction phase impacts. The main issues relate to the following:
- Construction Traffic and potential impact on emergency vehicles and parking;
 - Noise/dust and disturbance to nearby residents including potential impacts on health of elderly or vulnerable residents.
- 7.52 It has to be recognised that any development is likely to result in disturbance to the locality during the construction phase. Such impacts are by their nature time limited and it would be very unlikely that such impacts would warrant the refusal of planning permission. Nevertheless the sensitivity of the location is recognised and therefore it is very important that any development is appropriately managed in order to minimise any such disturbance.
- 7.53 In this respect a Construction Management Plan condition is recommended. This would need to set out how the delivery of materials, storage of materials and construction parking would be managed to reduce as far as possible impacts to the highway and address emergency access to the end of Emsworth House Close. The key to this is likely to be providing facilities on site and potentially phasing the construction to enable this to be successfully achieved.
- 7.54 In terms of noise, dust and disturbance issues, the Construction Management Plan would be required to set out how this would be managed to minimise potential impacts. Finally, should matters of noise and disturbance arise these can be further addressed under Environmental Health legislation.

8 Conclusion

- 8.1 In conclusion, the proposed development within the built up area is supported in principle. The Council is unable to demonstrate a five year housing supply and the proposal would make a positive contribution to housing need in sustainable location.
- 8.2 The proposed development would result in the loss of an open green area, however, this is not designated as a local green space and is not public open space. The proposed development would provide a traditionally designed house in keeping with the character of the area and the street scene.
- 8.3 The impact upon the residential amenity of existing and future residents is considered to be acceptable.
- 8.4 Highway issues including access, parking and emergency vehicle access have been considered in detail and the development is considered to have an acceptable and limited impact. The development is not required to seek to solve existing issues and a refusal of planning permission based on highway matters is not considered to be justified in this case.
- 8.5 The proposal would not result in an unacceptable impact on trees or ecology subject to

relevant conditions and the contributions secured through the HRA/AA.

- 8.6 Surface Water and Foul drainage can be appropriately managed through appropriate planning conditions.
- 8.7 Construction phase impacts require careful management and a Construction Management Plan condition is recommended.
- 8.8 Overall, the proposed development is considered acceptable and planning permission can therefore be recommended subject to appropriate planning conditions.

9 RECOMMENDATION:

That the Development Manager be authorised to **GRANT PERMISSION** for application APP/24/00245 subject to the following conditions:

APP/24/00245 Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans:

Location and Existing Site Plan Drawing No. 02.01 Rev B
Location and Site Plan Drawing No. 02.02 Rev D
Elevations, Floor Plans and Section Drawing No. 02.03 Rev B

Documents:

Planning, Design & Access Statement Robert Tutton Town Planning Consultants Ltd 23 April 2024
Arboricultural Impact Appraisal & Preliminary Arboricultural Method Statement Q0346\EmsworthHouseClose\AIA+(P)AMS\2024_V3
Highways Technical Note Nick Culhane Highway Consultant including Parking Survey March 2025
Highways Technical Note Nick Culhane Highway Consultant August 2024
Highways Technical Note Nick Culhane Highway Consultant March 2024
Ecological Impact Assessment Darwin Ecology March 2024
European Site Avoidance and Mitigation Checklist (Rev C)
Nutrient Budget Calculator received July 2025
Occupancy Calculator
Water Efficiency Calculation (Rev A)

Also Considered in relation to the proposed development:

Construction Phase Health and Safety Plan MCA Doc Ref: -2164-CPHSP-REVB

Reason: - To ensure provision of a satisfactory development.

3. The development hereby permitted shall only be carried out in accordance with the Arboricultural Impact Appraisal and Preliminary Arboricultural Method Statement (Reference Q0367\EmsworthHouseClose\TPP_V3 2024) and British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations). The tree protective fencing shall be installed and inspected by the Council's Arborist before work commences on site.

Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

4. Development shall proceed in accordance with the ecological avoidance and mitigation measures detailed within the Ecological Impact Assessment (Darwin, March 2024). In addition, details of ecological enhancement measures such as the location, number and type of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to occupation of the building and retained thereafter in accordance with the agreed details.

Reason: to protect biodiversity in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006, Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

5. Prior to the occupation of the dwelling hereby permitted provision for car and cycle parking shall have been made within the site in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate on-site car parking provision for the approved development having due regard to policy DM13 and the National Planning Policy Framework.

6. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

7. The development hereby permitted shall not be brought into use unless and until the section of dropped kerb no longer required to provide access and shown to be re-instated on drawing Number 02.02 Rev D has been reinstated with full face kerbs and footway levels reinstated.

Reason: To ensure that opportunities for on street parking are maximised in the interests of amenity and having due regard to policy CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

8. No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

9. No development shall commence unless and until details of a wildlife beneficial landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping works shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following first occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and that the development protects biodiversity and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

10. Prior to the commencement of the development hereby approved a detailed Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:

- Delivery management to minimise impacts on the highway with no vehicles exceeding 7.5 Tonnes;
- Details of material storage during the construction phase;
- Details of where construction vehicles and construction workers vehicles would be parked with no parking of construction workers in Emsworth House Close or Record Road;
- Details of how construction would be managed/phased on site to minimise impacts to the highway;
- Measures to be employed to minimise noise and dust impacts to nearby residents;
- Full details of any proposed piling including details of measures and piling methods which reduce impacts on residential properties;
- Wheel wash arrangements to prevent mud on the highway;

The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the construction phase of development is carried out in a manner that minimises impacts on the highway, including access, emergency vehicle movements and parking together with minimising noise and dust impacts to residents, having due regard to policies CS20 and DM10 of the Havant

Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

11. No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
Reason: In the interests of the character of the area and residential amenity having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
12. Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building alteration, windows, hard surfaces or outbuildings shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.
Reason: To ensure the retention of sufficient external amenity space for future residents, to avoid potentially unneighbourly developments and to avoid potential impacts on a protected tree having due regard to policies CS11, CS16 and DM8 of the Havant Borough (Core Strategy) Local Plan 2011, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.
13. Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the study/bedroom 3 windows in the first floor on the east elevation shall be fitted with non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
14. The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.
Reason: To safeguard the amenities of the locality and biodiversity having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
15. The development hereby permitted shall not be occupied until: All measures necessary to meet the hereby approved water efficiency calculation demonstrate that no more than 110 litres of water per person per day shall be consumed within the development have been installed. Any variation to these calculators or fixtures and fittings shall first be agreed in writing with the Local Planning Authority.
Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy 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. Further detail

regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

16. Delivery and construction shall not take place outside the hours of:

08:00hrs to 18:00hrs Monday to Friday;
08:00hrs to 13:00hrs Saturday;
and not on Sundays or Public Holidays

Reason: In the interests of the residential amenities of the area and to limit the impacts on adjacent roads having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Informatives:

1. The applicant is advised that Southern Water have provided the following Consultation Response:

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

2. The applicant is advised of the following requirements from Hampshire Highways:
Whilst HCC Highways Development Planning has no objection in principle to the proposed changes to the existing dropped kerb, the developer should be made aware that subject to any planning permission that may be granted by the Local Planning Authority, a subsequent permission will need to be granted by HCC as Highways Authority to undertake the dropped kerb works on the highway.
3. In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
Offering a pre-application advice service, and Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

You sought and were provided with pre-application advice,
You were updated about issues after the initial site visit.