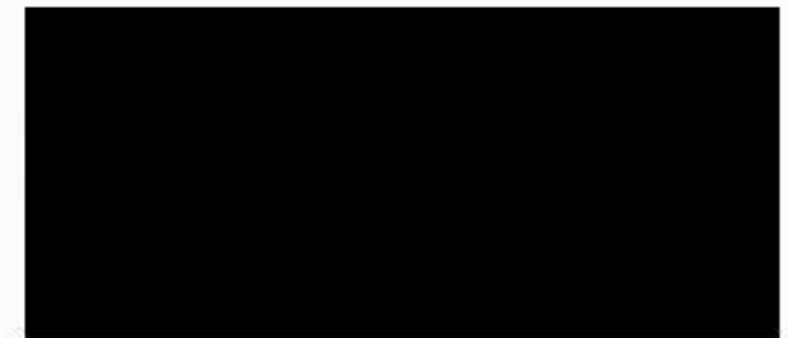


Chesterfield
Western Avenue
Emsworth
Hants
PO10 7LP



Mrs Rachael McMurray,
Planning Development,
Havant Borough Council,
Public Service Plaza,
Civic Centre Road,
Havant,
Hampshire, PO9 2AX

11th July 2017

Dear Rachael

Ref: Planning Application - APP/17/00633 – Objection

I am writing to notify you of my objection to the planning development that is proposed to replace the existing residential dwelling on the Orchard House site with 25 retirement flats with commercial communal services. I am objecting on many grounds including but not limited to, the size and style of the development and the health and safety issues with Western Avenue as the proposed access road, to the existing residents and the new, elderly residents, should the development be granted.

Effect on Character of the Area

My father built our family home in 1967 in what was a very quiet location, surrounded by fields and gardens. Without being nostalgic and taking into consideration the demand for housing over the past 50 years, the current situation is that we are now hemmed in and the last benefits of living in Western Avenue, the tranquillity of the area and relative calm of the traffic passing the front of our home, will be gone due to the extra 100 + trips per day, conservatively estimated by the developers, by cars, taxis, vans, ambulances and deliveries by commercial vehicles, which will have a direct negative impact on my family in terms of disturbance, noise and health and safety, resulting in a reduced quality of life.



Figure 1

1967 – The road was just a gravel track with many potholes and serviced 3 houses together with the 2 much smaller than now, privately owned houses at the top of the avenue, 72 & 74 Havant Road.

2016 – I believe this area is now of unacceptably high density, as can be seen in [figure 2](#) below, and the proposed site will be over-developed involving loss of garden land and the loss of the last open aspect of the neighbourhood.

The nursing homes either side of the entrance to Western Avenue are twice the size of their original footprint, as seen by comparing the third white house adjacent to them on the main road, and as a consequence of been allowed to over-develop, they are the cause of many of the existing problems with access and traffic into and along the Avenue, which is a no-through road. The over-development of the Orchard House site will only bring further grid lock to the already over utilised road, making it a dangerous place to live and work.

The planned and only exit is between the nursing homes, crossing the pedestrian pavement, which was not designed for the movement of heavy traffic and is dangerous to the general public walking along Havant Road. The exit is narrow and barely wide enough for 2 cars to pass.



Figure 2

Our home, arrowed in blue, is now surrounded on 3 sides to within a meter of all, but the front, boundaries. The proposed development, roughly highlighted in red, will be over **5.5 times** larger than the current building on this plot, Orchard House.

- The frontage of the proposed development is **56 metres** long as opposed to the current residential house frontage of *17.5 metres*.
- The proposed development will occupy approx. **1456 square metres**. *The current residential house and garage occupy a footprint of only 265 square metres.*

The view that we will see from the front aspect of our home will change from a family home with style and character, in-keeping with the rest of the Avenue and surroundings,



to this characterless monstrosity of huge proportions with the style that only a box can bring when the only criteria seems to be to maximise floor space.



The Proposed Development

1. **Size** – The sheer size of the development is over-bearing and out of character with the neighbourhood both in the size of footprint and the fact that it is a 3 storey building. The number of flats proposed will also bring with it a substantial increase in noise and disturbance from residents and visitors arriving and departing at all times including unsocial hours. Conservatively estimating that the 25 flats will be occupied by about 40 people, this will be over **3 times** the number of people already living in the road, not including their visitors, carers, wardens etc.
2. **Height** – Although the proposed building is roughly the same height as the existing residential property, the third floor flats are less than half a metre from the top of the building allowing the surrounding properties to be overlooked on both front and back aspects, resulting in loss of privacy. The existing residential property has a high sloping roof with no windows.
3. **Design** – The proposed development is an out-of-scale, characterless, large box shaped block of flats, with no empathy or regard to its surroundings along any of its boundaries. It's minimalist, plain, featureless look is already dated and will not weather very well, looking tired and tatty in no time. The design is not in keeping with the surrounding residential homes or any other residential building in Emsworth.
4. **Access**- It will be serviced by a single track road that is not fit for purpose, which I shall later show, and the limited car parking spaces will probably be also used by visitors of the nursing home at the top of the road as will the turning point for cars and lorries alike, resulting in even more traffic and over-spill of parked cars along the length of the avenue.
5. **Trees and vegetation** – Many of the beautiful, mature trees will be removed to make room for a car park. N.B. The developers removed a mature tree on the land prior to any TPO being registered, which anyone could only presume was stopping them from choosing the "T" shape design as discussed by them in the consultation with residents. I was present when the tree officer was called to site and he was disgusted and said he thought that he was in good dialogue with the developers and as a result he felt that there was no urgency to put a TPO in place. The developers showed no regard to the surrounding residents' wishes or the talks with council's tree planning officer. Since then, I believe TPO's are now in place for the remaining trees.
6. **The developers**- When asked at a consultation between residents of Western Avenue and its surrounding roads, with the developers in Emsworth, "Will there be any benefits for the residents of Western Avenue?" Their reply, after a short interlude, was that they could **not see any benefits** to the residents if this was allowed to proceed.

Policy CS9 of the Council's Core strategy requires housing proposals to respect the character of the surrounding area. As shown, we consider that the proposed development fails to do this, and in this respect the proposal is in breach of the policy. It is understood the law requires that where a policy is breached planning permission should be denied and the Council is asked to refuse the application.

Western Avenue

The Road and Safety

The road is a single track lane without a path, lighting, drainage or a substantial base, which must surely be a prerequisite for the amount of proposed daily traffic.

Originally the road was no more than a gravel track with many potholes. I remember that my father and other residents along the Avenue clubbed together to pay for the road to be tarmaced in the early 1970's. The road was not prepared to any regulatory standards before the tarmac was laid. However, apart from the odd repair, usually paid for by the house fronting the road, this has lasted the test of time simply because the volume of traffic over its surface is extremely light, probably averaging no more than 8-10 trips a day past our house.

The proposed development is stating that the daily traffic along Western Avenue will be over 10 times this volume, between an extra 104 – 129 trips per day some obviously being deliveries by vans and lorries. This is not including the damage to the road caused by the heavy lorries during the construction of the building.

It won't take long for the road to be ripped to shreds, the potholes to return and the entire surface to be chewed up by this increase in traffic, which it simply wasn't meant to service. This would cause trip hazards along its length and therefore be dangerous to residents and visitors. The nursing home at the top of the road, regularly escort their elderly residents for a walk up and down the road for exercise. (Figure 3). This would not be possible if the road is full of trip hazards and will be dangerous to the new elderly residents of the home, who may be walking or using wheelchairs.



Figure 3

Because Western Avenue is not adopted, the repair of the road would fall to the owner fronting the road. Frontage repairs have cost me personally £50 over the past 10 years mainly due to the harsh frost one year. For other owners, it may have been less. Once the volume of traffic increases, this will have an enormous consequence to all the owners in Western Avenue to pay for the upkeep of the road due to damage caused, in the main, by the traffic from the proposed 25 flat development. I think this is very unfair and if the development is granted, I would like the Council to detail the clear responsibility of the developer to maintain the entire length of Western Avenue to the same standard and design of the road without changes to its look, size or width, at their cost.

Access and Safety

The narrow entrance to / exit from Western Avenue is by way of crossing a public footpath. The residents are use to slowing down to check for pedestrians before moving out onto the footpath. Many visitors to Western Avenue do **not** check and are not aware of the dangers. This danger will be increased should the number of trips per day increase to these ten-fold levels.

From figure 4 it can be seen that the post at the entrance was knocked down by someone this year entering the Avenue with too much speed and with no room to manoeuvre. If someone was standing at this location, which nursing staff often do waiting for lifts and taxis, or approaching the exit on foot or by wheelchair, they too would not have been able to move out of the incoming traffic's way.

is very aware of the dangers of the road and will walk/drive on the left side of the exit so as to give maximum visibility to any motorist entering the road from the right.



Figure 4

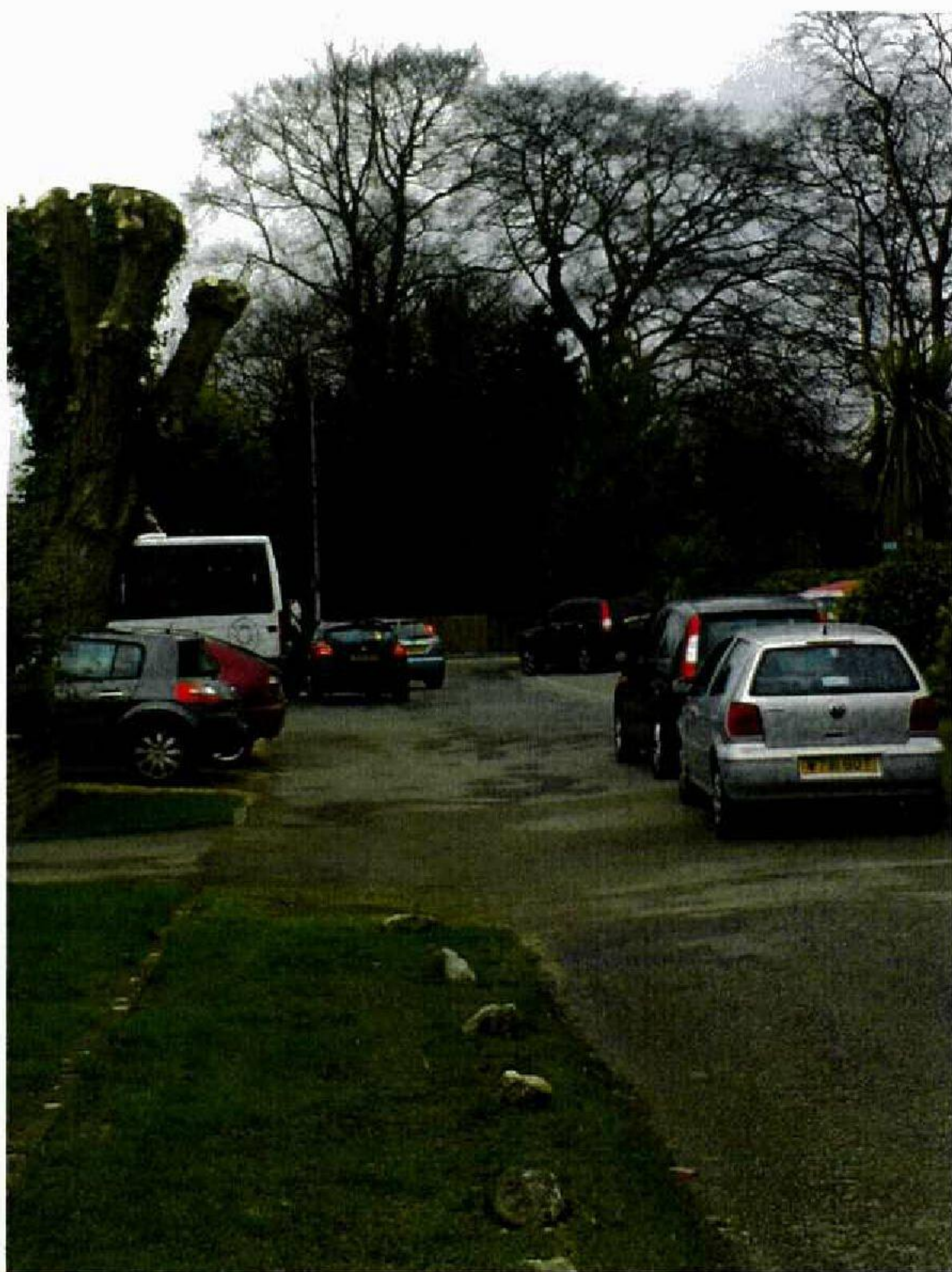
Referring to McCarthy and Stone's Transport Statement 034.0099/TS/1 - "The design to accommodate elderly persons who live a relatively independent life of an average age of entry being early to mid 70's" - It is proposed that the new building will have a store for wheelchairs motorised or otherwise, so a large majority of the occupants who do not drive and possibly disabled themselves, will be exiting and entering this very dangerous point using a wheelchair, because, unlike most of the developer's other projects, which are built near the centre of a town, the distance to the main shops in Emsworth is 1km away.

The following refers to the many pictures listed below of how the road is blocked or restricted due to the traffic coming and going on a daily basis. It has become **intolerable and very dangerous** for the residents, and the proposed development I feel should be stopped on these grounds alone.

- The road is single lane and too narrow for cars to pass without finding somewhere to pull over.
- The entrance to the road is severely restricted due to its width and on a daily basis, due to deliveries to the nursing home, which have to be unloaded. Large lorries are often parked very close to the entrance of the road to unload and it is difficult to see around them to check for on-coming traffic entering the avenue. It is very dangerous for pedestrians or people in wheelchairs to navigate past safely.
- Many visitors park too close to the entrance.
- The road is often blocked or narrowed by Ambulances making it difficult to get by, which in itself is a danger to the ambulance crews. The pictures show stationary vehicles loading or unloading patients.
- Many of the nurses, care workers and visitors cross from one nursing home to the other without being aware or thinking of the traffic on the avenue.
- Parking by nursing home staff and visitors leave little or no room to pass.

- There is no lighting or a pavement for the entire length of the road. Elderly people would be vulnerable to being knocked down by cars, especially in winter when the road is completely in darkness even as early as from 4-5pm. McCarthy and Stone have made no provision for the residents once outside of the main complex.

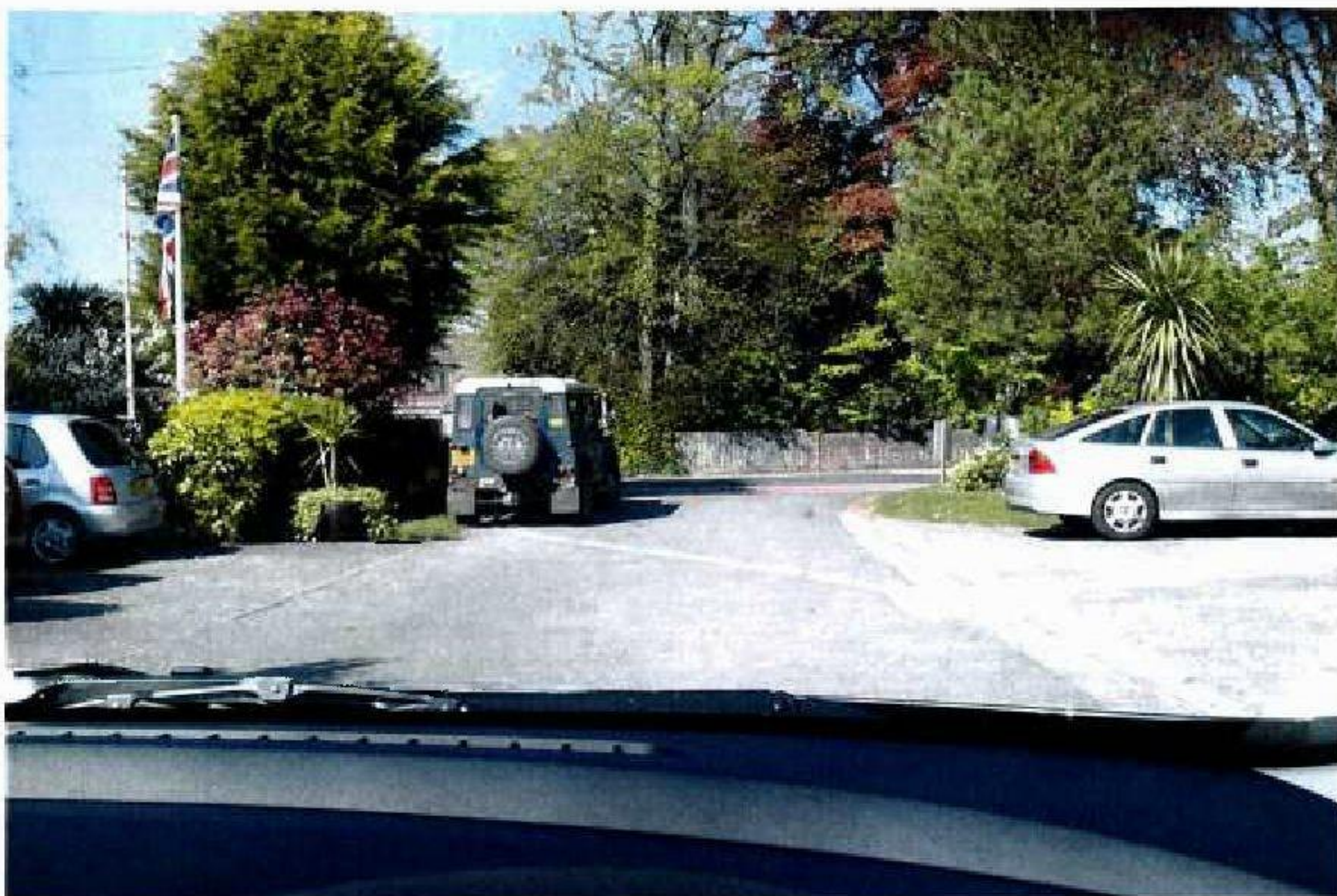




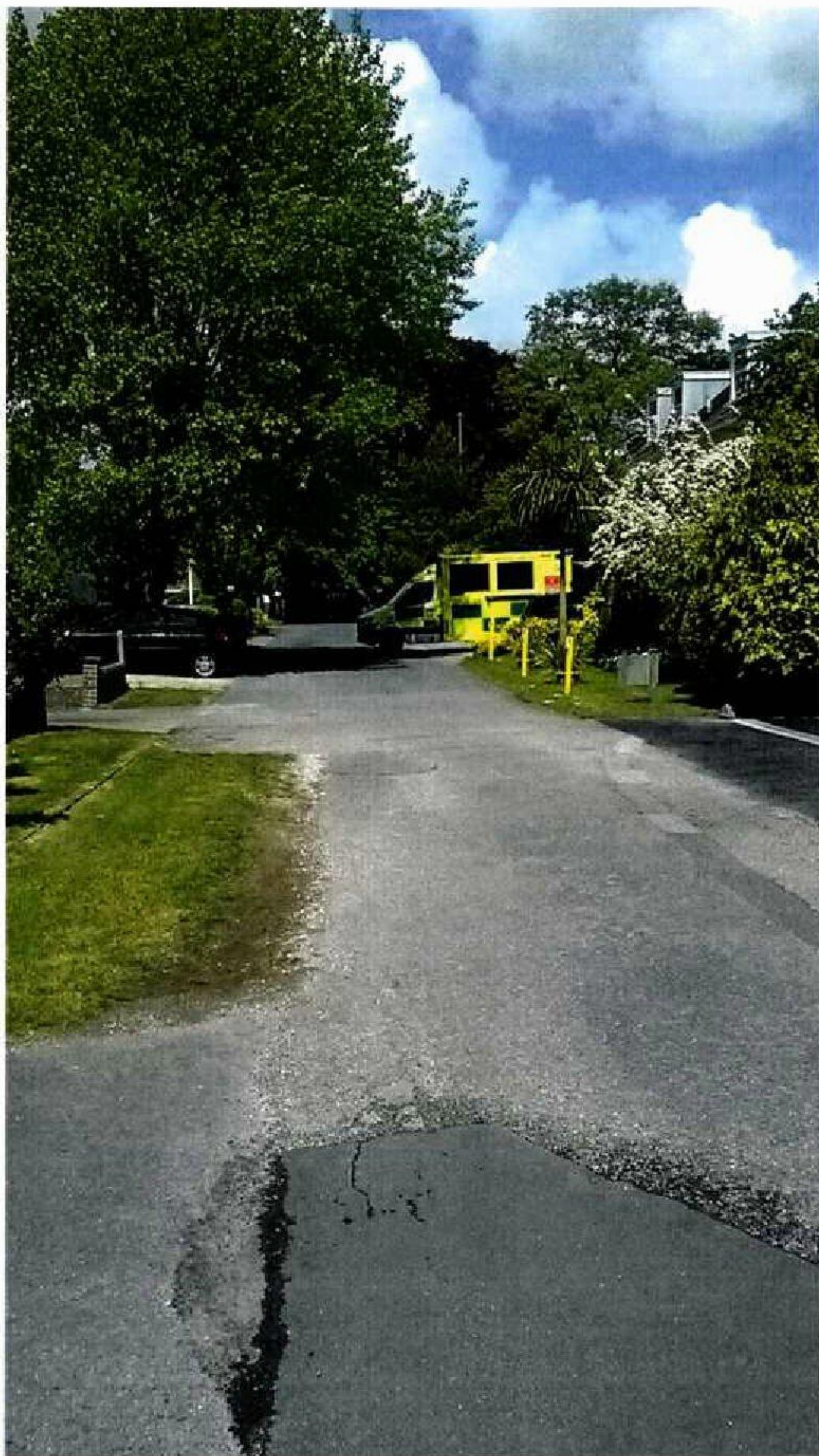


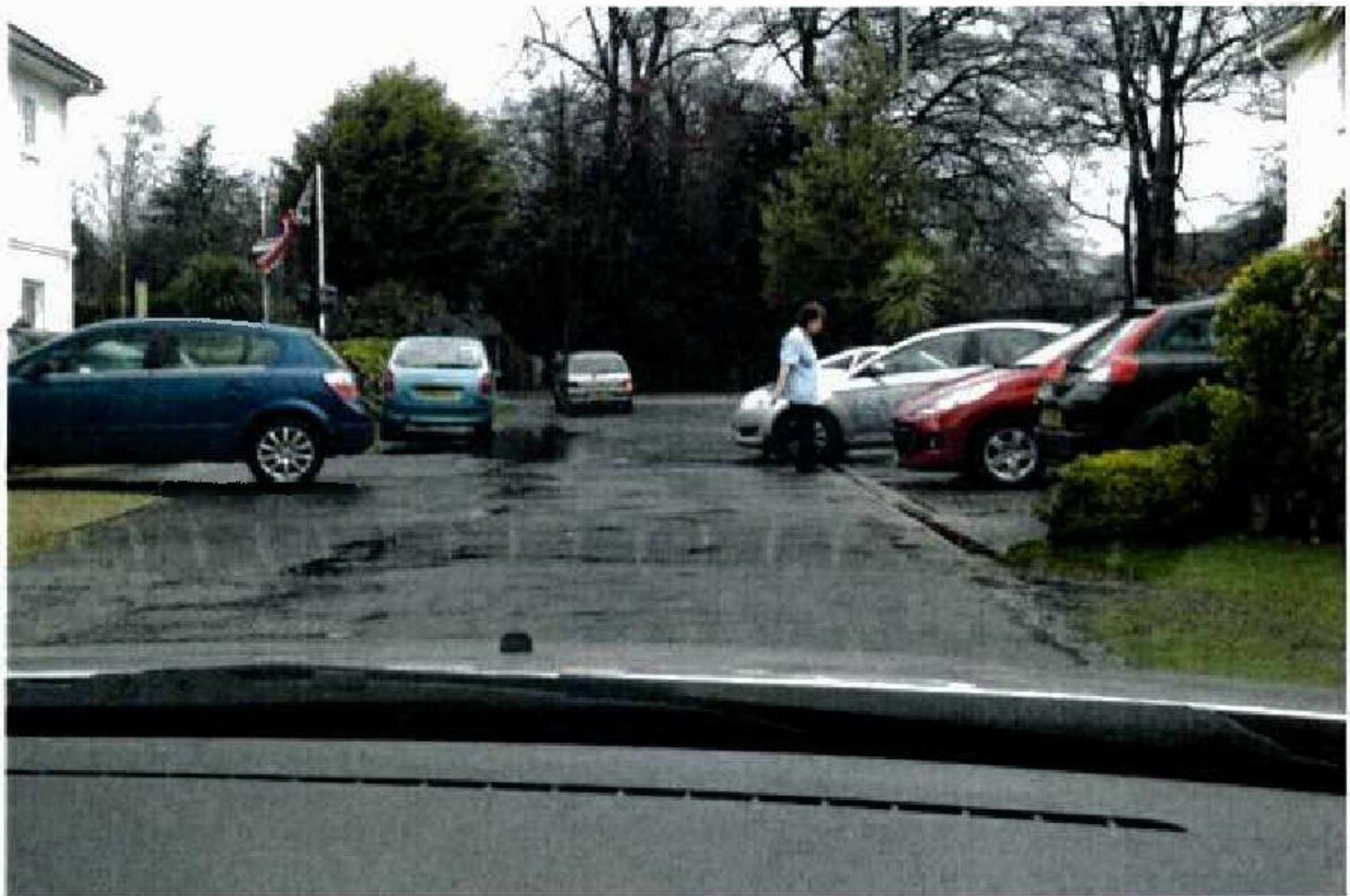














Western Avenue is clearly not fit for purpose.

Policy CS8

Policy CS8 requires that the safety aspects of the development be a **paramount** consideration and, given the circumstances of the access to the proposed development, I consider the proposed development would not be in accordance with Policy CS8, and in this context, planning permission should be refused.

Flood Risk

As you can see from the previous picture, Western Avenue will flood in many areas across the entire width of the road. As there are no drains to take the surface water away, the rain water will quickly pool even from a moderate downpour and will take several hours or days to soak away. This is another risk to the elderly residents and especially to those disabled.

People obviously try to avoid parking in puddles and so other areas to park are found, usually at the expense of the residents' ability to exit and enter their own properties. My neighbour's wall, shown on the right, has been knocked down due to people turning in the road and my own wall has been damaged 3 times by people turning in my driveway. I can see that the proposed parking spaces will be used up by others than the people they were intended for, in these circumstances.

I feel that the proposed large building and the clearing of vegetation will significantly increase the risk of flooding in the road and the surrounding areas, which is already a major problem. The loss of trees and garden drainage due to the size of the building and hard-standings for car parks, paths and the new access road way on the complex, must topple this fragile balance of flood control in

Western Avenue, Beach Road and the surrounding areas. There will be further problems with the foul water drainage due to the massive increase in load due to 25 extra dwellings/flats.

Both policies **CS15 and DM25** refer to flood risk matters, and it is clear that Emsworth is acknowledged to be especially vulnerable to the impact of development on flood risk areas.

Further Information

Limited right of way access

The historic limited right of way over Western Avenue, was intended for the purpose of a small number of dwellings and not for an extra 25 Residential flats, which would be run as a business for the elderly and as such will bring additional traffic in the way of food deliveries, doctors, nurses and carers, not to mention the residents themselves and their visitors.

Breach of Covenant

I believe there are two separate title deeds relating to Orchard House that have a covenants that forbid any trade or business to be carried out on the site. McCarty and Stone are proposing a development that clearly contravenes these covenants as the development will be owned and managed by them as a business for its lifespan.

Ownership of land

The applicant's site location plan (APP_17_00633-SITE_LOCATION_PLAN-1051707) includes the length of Western Avenue from the Orchard House site to the entrance onto the Havant Road. The transport statement states that it will make alterations to the road beyond the Orchard House site entrance **but the current owners do not own this section of the road** and have no rights over it. It should not be included within the application. McCarthy and Stone should NOT be allowed to land-grab and assume that they can in any way alter what is not theirs.

Supply of Housing Land

From consultations carried out by McCarthy and Stone before the application was submitted it is evident they will argue that the current estimate of housing need is such that the Council cannot demonstrate a five year supply of housing. Enquiries have revealed two important caveats to this perspective.

The first concerns a Supreme Court judgment issued in May 2017 where, it is understood, the Court decided that whilst the absence of a five year supply of housing land introduces a presumption in favour of the grant of planning permission, that presumption cannot be consummated until after the development has been weighed against the relevant policies of the Council's development plan. A reading of policy AL1 suggests that Havant Borough Council have been well ahead of the Supreme Court's game in this as the policy states the need to take into account other plan policies where there is a deficit in housing land requirements.

The second concern relates to the overall need for housing in Havant. Residents have been informed that the Council has undertaken an assessment of housing need with other Councils in the area. The residents have been advised that these joint studies are not based on the latest Government projections of housing need, which are significantly less than those calculated in the joint study. Given this it is likely that the current five year need is likely, on the basis of latest Government figures, to be much less than the joint study indicates.

Whilst it seems likely that the Applicants will call upon housing need as a support for their policies this argument is now very much watered down, in the light of (a) the Supreme Court decision (which was not available when they spoke to residents) and (b) the reduced Government calculations of housing requirements (available to them but not revealed).

Any argument regarding the absence or otherwise of a five year supply of land is required to be tempered (through the Supreme Court decision, and the impact of Policy AL1) by a weighing of the adverse impacts of the development and conflict with policy. Key factors in this respect are the impact on the character of the area, the inadequate access arrangements, and the risk of increased surface or groundwater flooding. These point to the need to refuse the planning application.

Summary

To conclude, I strongly object to the proposed development. The whole area has already been completely over-developed and the introduction of such a huge building in a narrow, already over utilised road, which is not fit for purpose, will only increase the problems of health and safety to the residents of Western Avenue and staff at the Nursing home, flooding in the general area, noise and disturbance and will completely change the character of the road and the quality of life for my family.

Yours sincerely,

Paul Craven