

Mrs Rachael McMurray
Planning Development,
Havant Borough Council
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12th July 2017

Dear Rachael,

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

I am writing to you to notify Havant Borough Council of my **objection** to the proposed development at Orchard House, Western Avenue.

The proposed dwelling creates significant impact to the overall tone of the local area and will cause significant harm to myself and other residents at 1c Beach Road. I therefore kindly request that this application be refused

As a resident of Hampshire for many years I am aware of the shortage of housing and would not object to a development which had less impact on residents surrounding Western Avenue and Orchard House.

I am saddened and offended by the lack of change made by the developers following a public consultation where the residents raised several specific objections. The developers have not properly consulted and attempted to run roughshod over the local residents going so far as to initiate the cutting down of trees directly backing on to our property. Trees which would have been subject to a preservation order, remaining trees have been protected subsequently and I understand the developers misled the environmental team on their intentions in this regard initially.

The developers have had the opportunity to revise their plans, reducing the number of storeys or building smaller family homes on the grounds but have chosen to aggressively pursue a more commercially lucrative opportunity with larger premises and more intense living spaces.

The developers have actively sought to obfuscate the visual impact of the property to key properties such as 3 and 1c beach road and indeed to those properties which lie the other side of 1c and 3 by omitting to publish a view of the proposed property from Beach Road looking back toward the site.

Effect on Character of the Area

The proposal comprises a three storey block of flats which have been shoehorned into the grounds of a single house. At present the housing in the area is almost all single occupancy housing mainly two storey in height, and having a pleasant suburban character. It is considered that the proposed development is an alien style of development which does not match the general character of the existing housing. Policy CS9 of the Council's Core strategy requires housing proposals to respect the character of the surrounding area. It is considered 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 are asked to refuse the application.

Effect on Living Condition.

The application involves provision of car parking areas adjacent to the rear boundaries of existing houses, and this is likely to give rise to noise and disturbance when residents and visitors arrive and depart at unsocial hours.

The area close to the north east corner of the development is especially vulnerable to such disturbance as there are bedspaces within houses very close to the common boundary.

Impact on trees and wildlife.

The application site includes many trees and shrubs which will be vulnerable to the effects of the development. Given that Planning law includes a special duty on Council's to preserve trees it is considered that in this context the proposal should be critically examined with regard to trees, both on and off the site. Permission should not be granted if there is adverse impact on existing trees and shrubs, either through explicit harm evident from the proposals or from impact on those to be retained over time.

The tree and shrub cover provide a natural habitat for wildlife, and the Council should satisfy themselves that there is no adverse impact on species of importance.

Access

The present access to the site is a privately maintained right of way which has a non standard informal type of interface with the public highway. There is no kerb to clearly mark the route of vehicles from the pavement. The visibility along the A259 is limited and, it is advised, that this is below the requirements for safe access to and from a highway carrying a substantial volume of traffic. Policy CS8 requires safety aspects of development to be a paramount consideration and given the circumstances of the access to the proposed development it is considered that the proposed development would not be in accordance with Policy CS8, and in this context planning permission should be refused.

Flood Risk

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.

The proposed development will introduce a very large structure into a low density area and this will have a marked impact on the pattern of run off. It will also introduce a large building which can impact on the groundwater behaviour on the site and the surrounding area. Given the especial concerns regarding flood matters in Emsworth it is considered critical that both surface and groundwater impacts of the proposed development are fully examined and understood before the application is decided. If there is any doubt or lack of information about the impact on the surface and groundwater flooding, then in accordance with the policy of CS8 and DM25 planning permission should be refused.

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 developers 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.

In conclusion again, I respectfully ask that this application is refused on breaches of multiple planning policies outlined above and that the individuals at Havant Borough Council will adhere to those policies to protect those local residents objecting.

Yours sincerely

Ben Randall