

APP/16/00575 - Listed Building Consent to form two interior openings to allow borrowed light into Flat A., PERM,04/08/2016

APP/17/01167 - Fell 2No. Macrocarpa within Conservation Area of Emsworth., WD,23/11/2017

APP/17/01309 - Crown reduce height by 5m and laterals on the south east and west by 3m and deadwood 1No. Macrocarpa (T1) and Crown reduce height by 3m and laterals on the north west and east by 3m and deadwood 1No. Macrocarpa (T2). Both trees are within the Emsworth Conservation Area., RO,17/01/2018

APP/21/00333 - 1No. Willow crown reduce by 4m overall to previous pruning points; 1No. Yew crown reduce height by 2m and west sector by 1.5m to previous pruning points, within conservation area of Emsworth., RNO,18/05/2021

APP/21/00334 - 2No. Macrocarpa subject to TPO 2075 G1:-
Reduce height by 3.5 metres
Reduce spread to north by 4m
Reduce spread to south by 5m
Reduce spread to east by 4m
Reduce spread to west by 3.5m
, PERM,18/05/2021

APP/22/00744 - , WD,16/01/2023

3 Proposal

Replace existing flat asphalt roof to original house with a new zinc pitched roof.
Addition of STO external insulation with brick slips over to existing brick walls.
Relocation of front door and reduction in height of redundant lift shaft. Enclosure of existing carport with a sectional door to create a garage. Removal of existing timber cladding and replacement with added insulation behind.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016
Chichester Harbour Area of Outstanding Natural Beauty Joint SPD 2017

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS16	(High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H1	(Design & Heritage)
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Listed Building Grade: Not applicable.
Conservation Area: Emsworth

5 **Statutory and Non Statutory Consultations**

Chichester Harbour Conservancy

Recommendation – No objection, subject to –

- agreeing samples of the specified facing and roofing materials; and.
- That any solar PV panel fitted shall be wholly black in colour including its surrounds/edging.

Officer reasoned justification

I visited the site on 18 July 2024 and had regard to the policy framework below in making these comments.

As an opening comment, perhaps the proposed Solar PV panels ought to be added to the description of development, being as the pitched roof slope do not actually exist yet?

Striking and distinctive modernist dwelling, with a mixture of flat and half barrel-vaulted roof treatments, fronting Dolphin Quay. Facing materials are a mixture of brown bricks, red tile hanging and brown stained timber-boardings. The barrel vaulting is clad in zinc. It sits opposite a recent housing development that has taken place there, including two modern houses clad with zinc, standing seam roof covering.

Within Character Area A of the Emsworth Conservation Area, abutting 23-29 Queen Street, which are Grade II Listed properties within the Chichester Harbour National Landscape (NL – formerly AONB).

29 Queen Street's list description is as follows –

“House (office). Early C19. Stucco, with a slate roof. Symmetrical front (north) of 3 storeys, 3 windows. Hipped roof. Wide eaves on brackets, 1st floor band, stone cills. Sashes in reveals (2nd floor centre blank), 1st floor centre a ½-glazed folding door. Porch on oval plan with 4 columns, 6-panelled door. Prominent east elevation of 3 storeys, 1.1.1 windows. Central wide chimney with pediment, projecting centrepiece with 1st floor tall window within a recessed arch, 1st floor band, plinth. Sashes (3 blank panels), 1st floor centre has a delicate wrought-iron balcony rail with a diagonal pattern. Porch recently altered.”

That adjoining, Georgian proportioned, property known as Dolphin House - (and specifically mentioned in the Council's CACA (paragraph 3.8.1) - is white rendered with a hipped slate roof, with a rear garage addition with bow-windowed accommodation above.

Apart from views from Dolphin Quay and Queen Street, the rear of the property is largely screened by built form or vegetation/boundary walls when viewed from a public footpath linking Dolphin Quay to King Street.

I note a conservatory was replaced by the current flat-roofed garden room under permission 09/71910/001, granted 22 September 2009, with this building having been originally constructed under planning permission granted around 1973. The property appears to have been used as a “yacht brokers (Class A2)”, sought to be regularised under 92/51798/004. However, the Council’s webpages do not record a decision and the applicant now describes the use of the property as a house. I have been unable to discover the applicant’s reference to decisions 15077/7 and 15077/10 on the Council’s webpages.

A modest increase in the building silhouette would result, but this is considered to be within the advocated 25% under adopted SPD. An overall improvement and enhancement to the dwelling would result, with a more legible and logical front entrance. The Conservancy is supportive of the applicant’s desire to improve the thermal efficiency of the property and microgeneration of electricity via the proposed solar panels, so as to reduce the dwelling’s carbon footprint.

Provided the quality of the external materials is approved under a planning condition, there would be no adverse impact to the AONB landscape nor the purposes of its designation. The proposed works are also considered to be respectful of the setting of 23-29 Queen Street as Listed Buildings and an enhancement to the character and appearance of the Emsworth Conservation Area is predicted.

*Policy framework

NPPF (December 2023) paragraphs – 1-3, 6-12, 20, 28, 38-40, 47-48, 54-56, 96, 104, 111-112, 114-115, 131, 135-136, 139-140, 157-160, 162-165, 173, 180, 182, 185-186, 189—190, Chapter 16 (especially paragraphs 201, 206 and 210-211), 224-225; NPPG (2014 onwards) ID’s - 6-8, ID18a, ID21a, ID26; Havant Borough Local Plan (Core Strategy) 2011 - CS11-CS12, CS16; Havant Borough Local Plan (Allocations) DPD 2014 - AL1, DM20; ‘Made’ Emsworth Neighbourhood Plan (2021) - H1, D1-D2; Chichester Harbour AONB Management Plan 2019-2024: 1-2, 15; CHC Planning Principles (adopted by CHC 17.10.2016 onwards) – 01, 03; SPG/SPD - Joint CHAONB SPD; Borough Design Guide; Emsworth Conservation Area CACA & Management Plan ; Emsworth Design Statement

Conservation Officer

Site / Location

The application site is situated in Emsworth, at No. 1 Dolphin Quay, Queen Street. No. 1 comprises a 3-storey, flat roof, detached property of contemporary design, featuring a mixture of bricks, tile hanging and horizontal, stained timber boarding.

The property is situated behind Dolphin House,(29 Queen Street) and no's 21-27 Queen Street, all of which are Grade II listed building and opposite the new residential development of the former Dolphin Quay boatyard. There is a extension to the north elevation which infilled the gap with the rear garage / annexe of No. 27 Queen Street. This has a curved, zinc roof, with side facing dormer windows. There is also a replacement sun room located on the south side elevation, which was approved in 2009 and replaced an earlier conservatory.

The site is located within the Emsworth Conservation Area which was first designated in 1970 and last reviewed in 2010. As a designated hertiage asset, the CA has significance as an area of special architectural and historic interest, where the character and appearance is considered worthy of preservation or enhancement. It has

a unique waterside setting, with several, important listed buildings. It is also an area containing important ecological habitats and is within the protected landscape of Chichester Harbour.

Legislation

When assessing the proposal, the following legislation and policy context is taken in consideration.

The Planning (Listed Building and Conservation Areas) Act 1990

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area. National Planning Policy Framework (revised November 2023) Chapter 16 of the NPPF relates to the Historic Environment including paragraphs 195 - 214. The building subject to this application is not listed but is deemed to be a non-designated heritage asset (as set out in the introduction) and therefore the following paragraphs are most relevant to the determination of this application:

Para 205 states that:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Para 207 states that: 'where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 208 requires this harm to be weighed against the public benefits of the proposed development

Para 208 states that:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

Havant Borough Local Plan (Core Strategy 2011 and Allocations Plan 2014) Policy CS11 - Protecting and Enhancing the Special Environment and Heritage of the Havant Borough Policy CS11 (4) states that planning permission will be granted for development which:

'Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to

conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest'.

Policy CS16 - High Quality Design

Policy CP16 (1a) of the Core Strategy states that:

'Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

- a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site'.
- b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;
- c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;
- d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and
- e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

Policy DM20 (Allocations Plan) - Historic Assets

Policy DM20 states that;

'Planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement that:

1. Describe the significance of the asset and its setting, using appropriate expertise and where necessary original survey, at a level of detail proportionate to its significance and sufficient to understand the potential impact of the proposal.
2. Sets out the impact of the development on the heritage assets and mitigation that is proportionate to the impact and the significance of the heritage asset, including where possible positive opportunities to conserve and enjoy heritage assets.

Emsworth Neighbourhood Plan

The Emsworth Neighbourhood Plan has now been adopted and has relevant policies which are applicable to this application:

Policy H1 - Design and Heritage

Policy H2 - Locally Listed Buildings

Assessment

The proposal comprises the following elements:

- Replace existing flat asphalt roof to original house with new zinc pitched roof
- Addition of STO external insulation brick slips over existing brick walls
- Relocation of front door
- Reduction in height of redundant lift shaft
- Enclosure of existing car port with a sectional door to create a garage
- Removal of existing timber cladding and replacement with an added insulation

- behind
- Addition of solar panels on the new zinc, pitched roofs.

It is stated that the main objective of the proposals is to increase the thermal efficiency of the building.

The majority of the alterations are minor in scale (brick slips, relocation of front door, enclosure of car port with a garage door and the replacement of matching horizontal cladding) and of an appropriate design, will not result in any harm to the Emsworth Conservation Area.

Given the height of the existing building, the elements of the proposal which have more visual impact are the proposed alterations to the roof, including the addition of solar panels and the reduction of the lift shaft.

The proposed increase in height to the building is fairly modest and the pitches would not be overly steep, nor visually compete with Dolphin House, which is also a 3-storey, pitched roof building. The flat roof tank room would be removed and the flank wall of the redundant lift shaft would be amended to brick slips and brought to life with the insertion of new front entrance.

In general, the appearance of the dwelling would be improved and more legible with the relocated front entrance. Solar panels would be inserted on the south facing roof slope, so less visible from Queen Street.

Overall, due to its careful design and appropriate choice of materials, the proposal would not result in harm to the Emsworth Conservation Area, nor the setting of the closest listed building, Dolphin House.

It is considered to meet the test set out in Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the relevant sections of the NPPF and the adopted Local Plan.

Conclusion

NO OBJECTION subject to the following condition:

1. Details and / or samples of all new external materials to be provided and agreed prior to use and used in situ thereafter.

Reason - in the interests of the preserving and enhancing the special character of the Emsworth Conservation Area and having due regard to policies CS11(4) and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2023

Officer comment: The planning agent has confirmed that the proposed Zinc Roof and Timber Cladding will be to match the Zinc Roof and Timber Cladding on the existing property. Therefore, a compliance condition has been recommended in relation to these materials. With regards to the brick slips, a pre-commencement condition has been applied to the permission to agree the detail with the LPA.

Councillor Charles Robert

No comments received.

Councillor Grainne Rason

No comments received.

Councillor Reuben Mychaleckyj

No comments received.

Developer Services, Southern Water

Following the review of the submitted documents, we have the below comments for the Planning consultation.

Please see the attached extract from Southern Water records showing the approximate position of our existing sewer and water main assets crossing/in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

If the applicant has not already provided documentation demonstrating compliance with the surface water hierarchy reflected in part H3 of the Building Regulations, as shown below, we will require this to be provided where surface water is being considered for discharge to our network. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here:

<https://www.gov.uk/government/publications/drainageand-waste-disposal-approved-do->

We would like to engage with you on the design for disposal of surface water for this development at the earliest opportunity and we recommend that civil engineers and landscape architects work together and with Southern Water. In many cases this may negate or reduce the need for network reinforcement and allow earlier completion of the development.

Where a surface water connection to the foul or combined sewer is being considered, this should be agreed by the Lead Local Flood Authority, in consultation with Southern Water.

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

Emsworth Residents Forum

No comments received.

Environment Agency

We have no objection to the proposal as submitted.

HCC Arboricultural Consultancy

No comments received.

Hampshire Biodiversity Information Network

Within 50m Priority Habitat - Intertidal Mudflats

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: 12

Number of site notices: 1

Statutory advertisement: 05/07/2024

Number of representations received: 0

Comment	Officer Comment
No comments received.	

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) Appropriateness of design and impact on the character of the area/Conservation Area and Chichester Harbour National Landscape
- (iii) Effect on neighbouring properties
- (iv) Effect on protected species and priority habitats
- (v) Flood Risk

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the area/Conservation Area and Chichester Harbour National Landscape

7.3 The proposal is for replacing the existing flat asphalt roof to original house with a new zinc pitched roof, the addition of STO external insulation with brick slips over to existing brick walls, relocation of front door and reduction in height of redundant lift shaft, enclosure of existing carport with a sectional door to create a garage and removal of existing timber cladding and replacement with added insulation behind.

7.4 It is considered that the pitched roof design would be more in keeping with the surrounding area than the existing flat roof. There are multiple pitched roof buildings present in the surrounding area. The addition of the garage door and relocation of the

front door are considered to be acceptable in terms of design in context of the existing dwelling and surrounding area.

- 7.5 The site is located within the Emsworth Conservation Area. The Conservation Officer commented on the application and determined that the proposed increase in height to the building is fairly modest and the pitches would not be overly steep, nor visually compete with Dolphin House, which is also a 3-storey, pitched roof building. The flat roof tank room would be removed and the flank wall of the redundant lift shaft would be amended to brick slips and brought to life with the insertion of new front entrance. In general, the appearance of the dwelling would be improved and more legible with the relocated front entrance. Solar panels would be inserted on the south facing roof slope, so less visible from Queen Street. Overall, due to its careful design and appropriate choice of materials, the proposal would not result in harm to the Emsworth Conservation Area, nor the setting of the closest listed building, Dolphin House. It is considered to meet the test set out in Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the relevant sections of the NPPF and the adopted Local Plan. It is considered that the conservation area would be preserved.
- 7.6 A condition requiring details and/ or samples of new external materials to be provided and agreed prior to use and used in situ thereafter has been recommended, and therefore attached to the permission in the interests of the preserving and enhancing the special character of the Emsworth Conservation Area and having due regard to policies CS11(4) and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2023.
- 7.7 The site is located within Chichester Harbour Area of Outstanding Natural Beauty. Chichester Harbour Conservancy commented on the application and raised no objection to the proposal subject to agreeing samples of the specified facing and roofing materials and that any solar PV panel fitted shall be wholly black in colour including its surrounds/ edging. Conditions that require the above requests to be addressed are recommended to be added to the permission.
- 7.8 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.9 To the north is No. 27 and 29 Queen Street. Though No.1 Dolphin Quay would be increased in height, it is not considered to be overbearing on these neighbouring properties, as the garages of both No.1 and No.29 are between the main dwelling of No.1 and the rear elevations of the two properties on Queen Street so there is an acceptable separation distance. This would also mean that there would be a limited and acceptable impact on outlook and light. There are no new windows proposed to face these dwellings so there would be no loss of privacy.
- 7.10 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) Effect on protected species and priority habitats

- 7.11 It is noted that the site is within 50m the Priority Habitat of Intertidal Mudflats. The development is minor in scale and considered unlikely to have a detrimental impact on this habitat.

(v) Flood Risk

- 7.12 The proposed development is within Flood Zones 2 and 3, however, at ground floor level the only alterations are enclosure of the garage and relocation of the front door. The proposal is not considered to introduce additional flood risk to the property and the Environment Agency have not objected to the proposal. The proposed development therefore complies with Policy CS15.

8 Conclusion

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area/Conservation Area, National Landscape and the nearby listed buildings and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00490 subject to the following 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:

Uploaded 27 Jun 2024	23040000 P1	LOCATION AND BLOCK
PLANS		
Uploaded 27 Jun 2024	23040100 P1	GROUND AND FIRST FLOOR
PLANS - EXISTING		
Uploaded 27 Jun 2024	23040102 P1	2ND FLOOR AND ROOF
PLANS - EXISTING		
Uploaded 27 Jun 2024	23040200 P1	ELEVATIONS - EXISTING
Uploaded 27 Jun 2024	23041000 P1	GROUND AND FIRST FLOOR
PLANS - PROPOSED		
Uploaded 27 Jun 2024	23041002 P1	2ND FLOOR AND ROOF
PLANS - PROPOSED		
Uploaded 27 Jun 2024	23042000 P1	ELEVATIONS - PROPOSED
Uploaded 19 Aug 2024		AMENDED - HERITAGE,
DESIGN & ACCESS STATEMENT		
Uploaded 26 Sep 2024		DETAILS OF PROPOSED
MATERIALS		

Reason: - To ensure provision of a satisfactory development.

- 3 Samples or a full specification including the type, colour and texture of the proposed brick slips to be used externally on the altered building shall be submitted to and approved in writing by the Local Planning Authority and the brick slips shall not be provided unless and until the details have been agreed. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: In the interests of the preserving and enhancing the special character of the Emsworth Conservation Area and the Chichester Harbour Natural Landscape (formerly AONB) and having due regard to policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The proposed solar PV panels to be fitted shall be wholly black in colour including their surrounds/edging.

Reason: In the interests of preserving and enhancing the character of Chichester Harbour National Landscape (formerly AONB) and the Emsworth Conservation Area, in accordance with policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The proposed Zinc Roof and Iroko Timber Cladding shall match colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the Conservation area and Area of Outstanding Natural Beauty and having due regard to policies CS16, CS12 and CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.