

**Havant Borough Council**  
**Heritage Consultation Response**

**Date – 18/9/2024**

**Officer – Rachael McMurray, Principal Heritage Officer**

**Application – APP/24/00322**

**Site Address – 4 The Fishermans, Emsworth**

**Description of Proposal -**

**Alterations to include front and rear rooflights, changes to fenestration, a garage conversion, and the construction of new porch and boundary wall adjacent the Public right of way.**

### **Site / Location**

The application site is situated in Emsworth, at 4 The Fishermans. The Fishermans is a residential cul-de-sac accessed from King Street within the Emsworth Conservation Area. No. 4 is a detached, two-storey house of brick and tile materials. It fronts onto a public footpath which leads to the harbour foreshore.

The Emsworth Conservation Area (CA) which was first designated in 1970 and last reviewed in 2010. As a designated heritage 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 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 is for alterations to include new front and rear roof lights, changes to fenestration, conversion of the garage including changes to the garage door to form new door / window, construction of a new, pitched roof porch and erection of a new boundary wall, adjacent to the public right of way.

With regards to the new rooflights, changes to fenestration on the main house and garage, it is considered there will be no harm to the significance of the Emsworth Conservation Area.

The proposed porch has been amended during the application to be more traditional in design and feature a pitched roof and matching materials to the main house. It is considered there will be no harm to the significance of the Emsworth Conservation Area.

The proposed wall would be 1.8m in height and feature three brick piers. It will obscure the view of the property from the public right of way and afford the property more privacy. Brick walls of this height are a common characteristic of this part of the conservation area and would not appear out of character. The proposed brick would match the existing wall and house. Subject to a suitable sample being agreed, this would not result in harm to the significance of the Emsworth Conservation Area.

Overall, the proposals will not result in harm to the significance of the Emsworth Conservation Area, and will meet the test of Section 72 of the 1990 Planning (Listed buildings and Conservation Areas) Act and the relevant national and local planning policies.

**NO OBJECTION** subject to the following condition:

1. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the bricks to be used for the porch and boundary wall 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 within the Emsworth Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and DM20 (Allocations) 2014 and the National Planning Policy Framework 2023.