

# DELEGATED OFFICER REPORT

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|                   |                                                                |               |            |
|-------------------|----------------------------------------------------------------|---------------|------------|
| Site Address:     | 14 Pelham Terrace, Emsworth, PO10 7JB                          |               |            |
| Proposal:         | Removal of rear garden wall and creation of 1No parking space. |               |            |
| Application Type: | Full Planning Permission                                       |               |            |
| Application No:   | APP/24/00874                                                   | Expiry Date:  | 23/12/2024 |
| Applicant:        | Mrs Piper                                                      |               |            |
| Agent:            | Mr M Farrer                                                    | Case Officer: | Jennie Fox |
|                   | MF Designs Ltd                                                 |               |            |
| Ward:             | Emsworth                                                       |               |            |

Recommendation: **GRANT PERMISSION**

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## 1 Site Description

- 1.1 14 Pelham Terrace, Emsworth, PO10 7JB is, as the name suggests, a two storey three-bedroom terraced dwelling finished in brick with dark coloured uPVC fenestration under plain tiles. Pedestrian access to the dwelling is from Pelham Terrace to the north-west, however the site also has a side garden gate to the north-east that can be accessed via an underpass driveway immediately to the north-east of the site. The underpass leads to an asphalt concrete parking court with brick and plain tile garages at the rear of the application site. Gardens backing on to the parking court have attractive 1.8m high brick boundary walls with inset panels and dentils. The dwelling does not currently have assigned parking.
- 1.2 The area immediately surrounding the application site is comprised of a series of residential terraces. The properties are predominantly small in size with very little frontage, small rear gardens, and limited parking which is mostly within private parking courts.
- 1.3 The application site is within the Chichester Harbour AONB and Emsworth Conservation Area.

## 2 Planning History

07/72718/000 - Retention of replacement windows at first floor level. ,  
PERM,21/02/2008

## 3 Proposal

Removal of rear garden wall and creation of 1No parking space.

## 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) |
| CS12 | (Chichester Harbour Area of Outstanding Natural Beauty (AONB))                    |
| CS16 | (High Quality Design)                                                             |
| DM13 | (Car and Cycle Parking on Residential Development)                                |

Havant Borough Local Plan (Allocations) July 2014

|      |                                                    |
|------|----------------------------------------------------|
| DM20 | (Historic Assets)                                  |
| AL1  | (Presumption in Favour of Sustainable Development) |

Emsworth Neighbourhood Plan Post Examination Version 2020

|        |                            |
|--------|----------------------------|
| ENP_H1 | (Design & Heritage)        |
| ENP_D1 | (General Design Policy)    |
| ENP_D2 | (Height, Mass & Materials) |
| ENP_D3 | (Layout, Form & Density)   |

Listed Building Grade: Not applicable.

Conservation Area: Emsworth

**5 Statutory and Non Statutory Consultations**

**Chichester Harbour Conservancy**

**Recommendation** – No objection, subject to salvaging the face brickwork to re-instate the garden wall in its new position, matching the existing panel and dentil course detailing.

**Officer reasoned justification**

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

Terraced house, in residential cul-de-sac, located within Character Area 'A' of Emsworth Conservation Area. An undercroft leads to a garage court, which wraps around the property's walled back garden. The wall is attractive with panel and dentil course detailing. The site has no intervisibility to the Harbour.

Given the lack of visibility within the Chichester Harbour National Landscape (NL – formerly AONB), no harm to the NL purposes would result from forming this car parking space and reinstating the garden wall.

Provided the detailing of the wall is copied when re-instating it in its new positioning, the character and appearance of the Conservation Area will be preserved. Reinstatement of the wall in its new position will maintain a clear distinction between the public and private realms.

### **\*Policy framework**

**NPPF (December 2023) paragraphs** – 1-3, 6-12, 20, 28, 38-40, 47, 55-56, 96, 131-132, 134-135, 139-140, 165, 173, 180, 182, 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

### **Officer Comment**

*Further to the recommendation made by Chichester Harbour Conservancy, the use of salvaged brickwork where possible and of matching panel and dentil course detailing in the reinstatement of the boundary garden wall has been secured by condition.*

### **Conservation Officer**

#### **Site / Location**

The application site comprises a semi-detached, two-storey dwelling of brick and tile construction located in a modern development to the rear of the High Street in Emsworth Town Centre. The site is within the Emsworth Conservation Area. To the rear of the property is a parking area to serve the residents of the development.

#### **Legislation**

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

### **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 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 to relocate the rear boundary wall of the garden, further back into the plot to allow for a parking space within the boundary of the property. The wall will be rebuilt using the existing materials and be of the same height and design. As such, there will be no harm caused to the Emsworth Conservation Area.

The proposal meets the test set out in Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the relevant sections / policies of the NPPF and adopted Local Plan.

### **Conclusion**

### **NO OBJECTION**

#### **Councillor Charles Robert**

None received.

#### **Councillor Grainne Rason**

None received.

#### **Councillor Reuben Mychaleckyj**

None received.

#### **Developer Services, Southern Water** **Southern Water letter dated 26/11/2024**

From reviewing the submitted application, Southern Water has no objections to the proposed works proceeding.

#### **Emsworth Residents Forum**

None received.

## 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: 28

Number of site notices: 1

Statutory advertisement: 15/11/2024

Number of representations received: 1

| Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Officer Comment                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| <p>I have no issue with the creation of a parking space as per the application, but the extra surface water run-off needs consideration.</p> <p>The shared surrounding tarmac of the planning request has one small surface water drain that currently struggles with the amount of surface water it handles. By building this parking space, it will add to the amount of surface water needing to be drained away by that drain.</p> <p>There appears to have been no consideration to extra drainage being required to mitigate this increase of surface water, especially as rainfall is predicted to increase.</p> <p>Please can this aspect be considered when reviewing the planning request.</p> | <p>Southern Water were consulted on the application and have confirmed that they have no objection to the proposed works.</p> |

## 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 Emsworth Conservation Area and the Chichester Harbour National Landscape
- (iii) Effect on neighbouring properties
- (iv) Parking
- (v) Amenity
- (vi) Biodiversity Net Gain (BNG)

(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 Emsworth Conservation Area and the Chichester Harbour National Landscape

- 7.3 The proposals are to partially remove an existing boundary wall to make provision for an approximately 2.8m wide by 5.8m long single parking bay, and to build a new, replacement boundary wall with access gate separating the parking bay from the private garden. The proposed materials and design for the access gate, wall and surfacing are to match existing. The parking bay will be delineated by granite setts. The proposed materials are in keeping with the area and are deemed to be acceptable. The proposals are to the rear of the dwelling, accessed via an underpass driveway, and would not be readily visible from the public realm.
- 7.4 Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 requires that new development responds to, draws inspiration from and respects local context and identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site. Policies CS11 and DM20 of the of the Havant Borough Local Plan (Core Strategy) 2011 and Policy H1 of the Emsworth Neighbourhood Plan seek to protect and where appropriate enhance the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to Conservation Areas. Policy CS12 of the Core Strategy requires, amongst other matters, that development will conserve and enhance the special qualities of the Chichester Harbour National Landscape (formerly AONB).
- 7.5 In terms of the impact of the proposals on the Emsworth Conservation Area, the Council's Conservation Officer has been consulted and has raised no objection to the proposals following an assessment of the application site.
- 7.6 Chichester Harbour Consultancy have been consulted with regards to potential impact on the Chichester Harbour National Landscape and have provided comprehensive comments which, for brevity, will not be repeated but are set out within the consultation response above.
- 7.7 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 Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy). It is considered that the scheme would conserve the visual amenity of the Chichester Harbour National Landscape and the Emsworth Conservation Area, in accordance with Policies CS11 and CS12 of the Havant Borough Local Plan (Core Strategy) 2011 and the tests in Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the Chichester Harbour National Landscape under Section 84 of the Countryside and Rights of Way Act 2000.

(iii) Effect on neighbouring properties

- 7.8 No. 13 is a terraced property attached to the host dwelling to the south-west. As the proposals do not include any built additions that would encroach on No. 13 the impact to this property is deemed to be limited and acceptable.

- 7.9 No. 15 lies to the north-east of the application site and is separated from the application site by the underpass driveway, which is approximately 4.7m wide. No. 15 currently has an existing parking space to the rear of their garden that faces the parking court and would be immediately opposite the proposed parking space. The proposals would have limited visual impact on No. 15 and, due to the orientation and generous size of the proposed parking space, are deemed unlikely to obstruct the parking provision at No. 15.
- 7.10 Immediately to the rear of the application site is the existing parking court. As the proposals do not reduce the amount of manoeuvring space available the impact on users of the parking court is deemed to be limited.
- 7.11 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) Parking

- 7.12 Parking provision in the locality of Pelham Terrace is extremely limited. There is little on street parking available and many properties, including the host dwelling, do not have designated parking spaces of any kind. The addition of an off road parking space is therefore likely to reduce overall parking pressure. A swept path plan has been provided to indicate that there is sufficient space available for a car to enter and exit the proposed space safely, and it is noted that there is additional manoeuvring space available within the existing parking court. The dimensions of the proposed parking space accord, and indeed exceed, the guidance set out in the Havant Borough Council Parking SPD (2016).

(v) Amenity

- 7.13 A garden space with a length of approximately 6.5m and a width of 6m would be retained as part of the proposals, resulting in the loss of approximately one third of current garden provision. However, it is recognised that the majority of properties in the immediate locality have significantly smaller gardens than the application site, which is not uncommon within a town centre location. On balance, it is considered that the benefits of providing a dedicated parking space would outweigh the partial loss of amenity space.

(iv) Biodiversity Net Gain (BNG)

- 7.14 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.

## **8 Conclusion**

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

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## 9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00874 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:

EXISTING SURVEY EX\_01  
NEW PARKING SPACE P\_01  
LOCATION AND BLOCK PLAN P\_02

**Reason:** To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing boundary treatment and surfacing so far as practicable.

**Reason:** In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The boundary garden wall shall be reinstated as indicated on drawing P\_01 with face brickwork from the existing garden wall to be salvaged where possible and interspersed with new matching brickwork. New panel and dentil course detailing is to match the appearance of the existing wall.

**Reason:** In the interests of maintaining a clear distinction between public and private realms and having due regard to policies C11 and C12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.