
Site Address: 50 Bath Road, Emsworth, PO10 7ER
Proposal: Non material amendment for internal alterations to the first and second floors, with no.1 staircase relocated. Second floor rear balcony replaced with Juliet balcony doors, and alterations to elements of glazing on front elevation.
Application Type: Non-material change
Application No: APP/23/00166 Expiry Date: 05/04/2023
Applicant: Mr & Mrs Gawley
Agent: Miss Ellie Knight Case Officer: Tina Pickup
Helyer Davies Architects Ltd
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site relates to a substantial detached dwelling located at the southern end of Bath Road, on the western side. As such it does not have a direct waterside location but benefits from views of the Mill Pond across its own frontage. The property was significantly extended and refurbished in 2009 under ref 08/62345/009 following a long planning history of several refused schemes. It is now of contemporary external finish with large front gable with recessed balcony in the second floor apex, and smaller front gable with balcony at first floor over an integral garage. It is constructed of a mix of larchwood cladding, render and red brick with aluminium frame windows in grey. To the rear the site has a small flat roofed projection across the northern gable with balcony above.
- 1.2 The site is substantial, with large graveled frontage for the parking of several vehicles and rear garden of about 24m deep. The site boundaries are largely mature trees and hedges - some of the trees are covered by Tree Preservation Orders. The site lies within Emsworth Conservation Area.
- 1.3 The immediate character of the area comprises other substantial detached dwellings, of a mix of traditional and more contemporary style.
- 1.4 The site lies adjacent the Chichester Harbour Area of Outstanding Natural Beauty and SINC (Emsworth Mill Pond), and the site frontage falls within Flood Zones 2 and 3 whilst the whole site falls within the future flood zone.
- 1.5 Planning permission was granted on 2/12/2022 under ref APP/22/00917 for single storey front and rear extensions with roof lights, external alterations incorporating the installation of windows and doors with internal remodelling. This application seeks some minor amendments to these approved plans.

2 Planning History

00/62345/001 - Fell a Cypress tree (TA) and a White Poplar tree (TF). Reduce in height to 5m Cypress trees (TB, TD and TE). Reduce a Horse Chestnut tree (TC) back to old wound points. (See attached map for location of all the trees)., RNO,13/12/2000
97/62345/000 - Notice of intention to fell Chestnut tree within Emsworth Conservation Area, WD,15/04/1997
07/62345/002 - Construction of 1No. two storey building containing 1No. 1 bedroom

flat and 7No. 2 bedroom flats. Associated car parking and covered cycle/buggy store. Altered access to Bath Road., REF,21/03/2007

07/62345/003 - Conservation Area Consent for the demolition of dwelling house and felling of trees identified in the survey. , REF,21/03/2007

07/62345/004 - Notification of intention to fell a Purple Plum and 2No. Leyland Cypress all within the curtilage of 50 Bath Road within Emsworth Conservation Area. , REF,21/05/2007

07/62345/005 - Construction of 1No. three storey building containing 2No. one bedroom and 4No. two bedroom apartments with associated parking. Four of the units are age restricted. Works to trees subject to TPO 1884 (unconfirmed)., REF,07/09/2007

07/62345/006 - Conservation Area Consent for the demolition of existing house and felling of a Bay and Laurel tree and lopping of a Lawson Cypress all within Emsworth Conservation Area., REF,07/09/2007

08/62345/007 - Part-demolition and reconstruction providing 1No. 6 bed house., WD,02/09/2008

08/62345/008 - Alterations and extension to existing property., UNK,

08/62345/009 - Single and two storey additions, alterations and roof alterations to provide additional room in roof., PERM,19/01/2009

08/62345/010 - Conservation Area Consent for partial demolition of existing dwelling., PERM,19/01/2009

09/62345/011 - Discharge of Condition No/s 2 & 3 of Planning Permission 08/62345/009., PERM,26/05/2009

09/62345/012 - Discharge of Condition 2 of Planning Permission 08/62345/009., PERM,01/12/2009

APP/10/00880 - Crown reduce by 15% and reshape/formative prune 1No. Silver Birch tree. Crown reduce by 10% and reshape 1No. Copper Beech tree. Fell 1No. Leylandii tree. All subject to TPO 1884. , PERM,08/03/2011

APP/10/00883 - Crown thin by 10% and crown reduce (west crown) by 10% 1No. Hawthorne tree within Emsworth Conservation Area. , RNO,21/01/2011

APP/12/00030 - Reduce laterals by 0.5m of 1No. Cypress tree (T5) , subject to TPO 1884. , PERM,22/02/2012

APP/15/00810 - Reduce 1No. Cypress (T5) by 1.5m in height and reduce crown in southern sector to give 1m clearance from building; subject to TPO 1884., PERM,16/09/2015

APP/15/00813 - Crown reduce 1No. Hawthorn by 1m; crown reduce 1No. Magnolia by 1.5m; crown raise 1No. Ash over road to highway regulations; crown raise 1No. Apple by 1m. All within Conservation Area of Emsworth., RNO,28/08/2015

APP/17/00098 - Crown reduce in height by 2.5m, laterals by 0.5m 1No. Cypress, crown reduce in height by 2.5m 1No. Cypress, and crown reduce on south section by 2m 1No. Copper Beech. All subject to TPO 1884, within Conservation Area of Emsworth., PERM,02/03/2017

APP/18/00404 - Crown reduce 1No.Cypress tree height by 2m, reduce western sector by 1m, subject to TPO1881., PERM,31/05/2018

APP/19/00045 - Crown reduce 1No. Copper Beech tree (T1) by 2.5m overall and crown raise north sector 1No. Silver Birch (T3) to give ground clearance of 5.5m, subject to TPO 1884., PERM,26/02/2019

APP/19/00046 - Fell 5No. Elm trees and 1No. Leylandii tree, crown reduce 1No. Ash tree by 2.5m overall, crown reduce 1No. Hawthorn and 1No. Quince by 1.5m overall, within Conservation Area Emsworth., RNO,26/02/2019

APP/21/00351 - Crown reduce 1No. Cypress (T1 on plan) in height by 3m and laterals by 0.5m, to leave a crown height of 10m and lateral spread of 4m; crown reduce 1No. Copper Beech (T2 on plan) by 2m back to previous pruning points. Subject to TPO 1884 within conservation area of Emsworth., PERM,09/06/2021

APP/22/00917 - Single storey front and rear extensions with roof lights. External alterations incorporating the installation of windows and doors with internal remodelling., PERM,02/12/2022

3 Proposal

- 3.0 Non material amendment for internal alterations to the first and second floors, with no.1 staircase relocated. Second floor rear balcony replaced with Juliet balcony doors, and alterations to elements of glazing on front elevation.
- 3.1 The proposed alterations are largely internal with the re-siting of the stairwell to improve the functionality of the second floor bedroom and first floor circulation. As a result, the external alterations include some enlarged and re-aligned windows on the front elevation; and the external second floor rear balcony becoming internal with Juliet opening instead.

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)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

- DM20 (Historic Assets)
AL1 (Presumption in Favour of Sustainable Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan Post Examination Version 2020

- ENP_H1 (Design & Heritage)
ENP_D1 (General Design Policy)

Listed Building Grade: Not applicable.
Conservation Area: Emsworth

5 Planning Considerations

- 5.1 As detailed in paragraph 3.1 above, this application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application. The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining where the proposal is a 'non-material' amendment.

5.2 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

(i) Impact of proposed changes

5.3 Given the design and scale of the property, the proposed enlarged and realigned windows on the front elevation are considered to remain in keeping and proportionate to the approved design and context of the front facade. The overall outward appearance of the dwelling would not be materially altered.

5.4 To the rear the approved external balcony at second floor level would be incorporated into the internal space with Juliette opening instead. This would also not materially affect the appearance of the rear elevation. None of the alterations would affect neighbouring amenity due to the scale of the plot with adequate separation distances and screening.

5.5 Overall it is considered that the scale, appearance and design of the dwelling would not have a detrimental impact on either the visual appearance of the approved extensions, or the street scene, nor have any impact on neighbouring amenity. The proposed change can therefore be considered a non-material amendment.

6 Conclusion

6.1 The proposed amendments to windows and balconies is not considered to result in a material change to the extant planning permission and the changes are recommended for approval.

7 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/23/00166 subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Plans, Sections & Elevations Drawing Number 22019-02 Rev A
Design, Access and Heritage Statement by hd architects

Reason: - To ensure provision of a satisfactory development.