
Site Address: 5 John King Shipyard, King Street, Emsworth, PO10 7AY
Proposal: Application for Non-material amendment to Planning Permission
APP/21/00992 relating to alterations to shutter detail of south elevation (semi concealed roller shutter in lieu of sliding shutters); lower central opening with sliding doors; 4 Balcony- four support legs/ brackets; and omission of integral shutters from side windows.
Application Type: Non-material change
Application No: APP/23/00178 Expiry Date: 31/03/2023
Applicant: Mr Jackson
Agent: Mr Wright Case Officer: Tina Pickup
Noel Wright Architects
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 This application seeks non-material amendments to alterations approved at 5 John King Shipyard, under reference APP/21/00992.
- 1.2 The site relates to a two storey, 3 bedroom detached dwelling located on the foreshore and accessed via the private drive of John King Shipyard. This was a development in the 1990's following permission to demolish the former shipyard factory and erect four, three storey town houses (now 1-4 John King Shipyard to the immediate west of the site) and the conversion of the existing office to form a dwelling. The application dwelling relates to the converted office building, which under 92/53215/3, had its eaves and ridge line increased with extension to the north, with altered fenestration including patio doors and juliette balcony on the ground floor south elevation.
- 1.3 The current dwelling comprises what appears to be old red brick elevations above a flint plinth to the beach/ground level, and has a hipped slate roof and is sited on a tight plot with limited separation to adjacent dwellings. The south elevation aligns with the foreshore ie it protrudes forward up to the beach with an existing ground floor balcony supported with timbers effectively overhanging the beach. The location plan submitted under APP/21/00992 included the area of beach and landing jetty opposite the house outlined in blue, and the agent advised at the time of dealing with APP/21/00992 that this ownership is historic from the time the site was a boatyard with associated use of the foreshore and slipways etc.
- 1.4 The north side of the dwelling has an 'L' shaped footprint with an integral garage and the curtilage is entirely hard surfaced creating a combined parking and hard landscaped area. The ground slopes slightly down to the south. The properties either side are very tight to the shared side boundaries and extend further north than the application dwelling creating a tight courtyard feel to this space. Number 4 has a three storey side elevation, with single obscure glazed window, and number 8 Stanley Road has an integral garage with recent dormer addition creating a bedroom in the roof space (APP/18/00968) that wraps round the application dwelling and beyond.
- 1.5 As a result of the modest plot size and tight relationship with neighbouring properties, the existing dwelling does not have any usable amenity space - it just has a small balcony on the south elevation and the hard landscaped areas to the north.

- 1.6 The site lies within Emsworth Conservation Area but is not a Listed Building, nor on the Local List. The site also lies within Chichester Harbour AONB and the foreshore of the harbour lies within the Chichester Harbour SSSI, SPA, SAC and Ramsar. In addition the site lies within Flood Zones 2 and 3.

2 Planning History

92/53215/003 - Demolition of existing factory. New development of four 4-bedroom terrace houses and garage block; conversion and extension of existing building to form 4-bedroom detached house with integral garage and parking. PERM 25/02/93

99/63216/000 - Retention of additional step to foreshore, REF,08/07/1999

99/63216/001 - Retention of additional step to foreshore (revised application), PERM,16/09/1999

04/63216/002 - Removal of existing steps from foreshore and replacement with new concrete steps constructed in gap between houses. Construction of new balcony to south elevation (on brackets from retaining wall) projecting beyond line of sea wall over foreshore., REF,14/04/2005

APP/13/00583 - Removal of existing brick steps, replacement with retractable timber steps and enlargement to existing balcony., PERM,19/09/2013

APP/14/00211 - Application for non-material change to Planning Permission APP/13/00583 relating to alterations to detail design of the balcony and steps., PERM,25/03/2014

APP/15/00128 - Discharge of Condition No. 3 of planning permission APP/13/00583., PERM,09/03/2015

APP/21/00992 - Alterations to the south / harbour facing frontage, via enlarged fenestration. A replacement balcony in a central location. Additions to the north side of the house comprising an infill of the current courtyard area, creating an additional habitable room via the upgrading of the existing garage, with extensions. A covered car port, flat roof terrace, and additional storage accommodation in lieu of the previous garage., PERM,10/01/2022

3 Proposal

- 3.1 Application for Non-material amendment to Planning Permission APP/21/00992 relating to alterations to shutter detail of south elevation (semi concealed roller shutter in lieu of sliding shutters); lower central opening with sliding doors; 4 Balcony- four support legs/ brackets; and omission of integral shutters from side windows.
- 3.2 The above description follows submission of amended plans reducing the scope of the amendments such that they can be considered non-material. Significantly the initially proposed glazing to the side windows has reverted back to as approved under APP/21/00992.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011

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))
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS4	()
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)
AL3	(Town, District and Local Centres)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H1	(Design & Heritage)
ENP_D1	(General Design Policy)
ENP_D2	(Height, Mass & Materials)

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 Therefore, 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 The details of this application have been discussed with the Council's Conservation Officer and it is noted that when the shutters are closed across the ground floor door opening, there would be little apparent change to the approved scheme. The approved sliding shutters were to be hardwood timber left to weather ie they would silver over time. The proposed drop down storm shutters would be aluminium powder coated in RAL 7032 Pebble Grey in a matt finish. The overall appearance when down would remain of silver grey colour shutters across the opening.

5.4 Therefore it is only when the shutters are open that there would be a difference in appearance. As previously approved they would have slid to the side and remained visible on the south elevation; as now proposed they would be concealed in a roller box hidden below the brise soleil above and effectively disappear from the south elevation. Given the other timber cladding and brise soleil would remain as approved

to give the south elevation some interest and depth, then overall the change is considered minor in nature.

- 5.5 The other changes proposed include the use of sliding doors made of aluminium instead of timber, the result of which would be less vertical glazing frames to the doors; the addition of an extra balcony support bracket; and omission of the previously approved integral shutters to the side windows (which were as now proposed for the main central opening).
- 5.6 Whilst the close up visual appearance of the shutter material and glazing of the central opening would be different, it is considered that the overall long distance views of the south elevation from the foreshore would be only marginally different and not visually obvious to the public. The use of a matt finish would ensure the roller shutters, when in use, would not be overly reflective and not cause any harm to the wider AONB landscape or character of the Conservation Area, where other aluminium framed windows have been used nearby. Since the site is not a Listed Building then these changes would not affect the historic significance of the building.

6 Conclusion

- 6.1 Overall, given the context of the site and overall design of the south elevation, the proposed amendments to the shutters, glazing of main opening and balcony brackets, can be considered to be non material and would not 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/23/00178 subject to the following conditions

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

Proposed Elevations Drawing Number 04 Rev C
Proposed Elevations and Sections Drawing Number 05 Rev F
Proposed Alteration Detail including Storm Resilience Measures Drawing Number 08C

Reason: - To ensure provision of a satisfactory development.