
Site Address: 22 King Street, Emsworth, PO10 7AZ
Proposal: Demolition of existing conservatory, erection of single storey rear extension. Alterations to fenestration and new balustrade to existing balcony parapet.
Application No: APP/20/00643 Expiry Date: 08/10/2020
Applicant: Mr and Mrs Smith
Agent: Ms S Roberts Case Officer: Joseph Toole
Critchley Architecture and Design Ltd
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

22 King Street, Emsworth, is located to the north east of King Street. The application site is a two storey property comprising red brick with white doors and window frames.

The application site is located within the Emsworth Conservation Area and the Chichester Harbour Area of Outstanding Natural Beauty.

Note - Due to Coronavirus a site visit was not possible but the applicant/agent supplied photos of the application site which have been used to inform this decision.

2 Planning History

97/51410/001 - Single storey rear extension, PERM,05/01/1998

3 Proposal

Demolition of existing conservatory, erection of single storey rear extension. Alterations to fenestration and new balustrade to existing balcony parapet.

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)
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

DM20 (Historic Assets)

Havant Borough Pre Submission Local Plan 2036

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

Chichester Harbour Conservancy Recommendation – No objection

The Conservancy recommends the following suggested considerations –

- schedule/samples of materials to be agreed prior to construction / as indicated on application forms / to match the existing on site.

- the glazed fenestration should employ tinted glass panels where appropriate, and these should be fitted with working internal screen blinds to reduce light spillage during evenings and nighttimes (dark skies policies) in order to minimise and reduce the amount of light illumination emitted both to the surrounding skyline and to the visual horizontal aspect of the new window openings.

- any and all roof lights / skylights / ridge-lights / roof lantern / clerestory lights / glazed gable windows, should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times (dark skies policies) in order to minimise and reduce the amount of light illumination emitted both to the surrounding skyline and to the vertical, skyward, aspect of the new window openings

- any demolition of existing parts of the building and or outbuildings, should only be carried out following a competent wildlife survey having been carried out by a recognised ecologist surveyor to ensure that no protected species, such as bats, are present in the structures to be demolished so as to meet the legal requirements under the guidance of Natural England of The Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010.

- any and all external lighting shall be fitted with a suitable and effective cowl to focus the lightbeam and illumination downwards and prevent light spillage above the horizontal and into the night sky, so as to comply with the Dark Skies approach within the AONB protected landscape and to limit disturbance to wildlife.

It is noted that the submitted proposal makes little acknowledgement of the sites location within the Area of Outstanding Natural Beauty (AONB). The AONB landscape includes open countryside, rural hamlets and villages, urban built-up market towns as well as the harbour waters, all of which are subject to a higher level of planning scrutiny and where development is subject to more stringent planning guidance to ensure that development respects and enhances the inherent qualities of such a sensitive location. The proposal has apparently been made with a level of understanding that would be considered minimal in this regard. Given the householder domestic small scale of the proposal, this is regrettably not unusual and is unfortunate given the protected status of the AONB.

The proposal would have a localised impact on the character and appearance of the dwelling and the immediate surrounds. The proposal would have a visual impact on the AONB, but this is considered to be minimal.

Given its setting, the proposal is considered not to be unduly prominent to be detrimental to the character or the appearance of the Area of Outstanding Natural Beauty (AONB).

The proposal is unlikely to have any significant impact or effect on the AONB in terms of landscape character or in relation to wildlife conservation and protection.

Conservation Officer Response 1

Proposal – Demolition of existing conservatory, erection of single storey rear extension. Alterations to fenestration and new balustrade to existing balcony parapet.

The site is not Listed, but is within the Emsworth Conservation Area, centred on Emsworth's old town and port.

Legislative and Policy Context

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

Section 66 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 listed building or its setting, to 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.

The revised National Planning Policy Framework (NPPF) was published in February 2019 and sets down the policies that the Council must take into account when determining planning applications. The 'Historic Environment Good Practice Advice in Planning Note 2', states at paragraph 4:

'The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest' and provides at paragraphs 8, 9 and 10 that in order for the Local Planning Authority to make decisions in line with legal requirements, the objectives of the development plan; and, the policy requirements of the NPPF, great importance is placed on understanding the nature, extent and level of the significance of the heritage asset.

The revised NPPF (February 2019) sets out in Chapter 16, the core principles relating to development affecting Heritage Assets that local planning authorities should consider in making planning decisions in the following paragraphs:

184. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable

resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

191. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

192. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Policy CS11 of the Core Strategy 2011 states that planning permission will be granted for development that:

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 CP16 (1a) of the Core Strategy 2011 states '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:

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site.

Policy DM20 of the Allocations Plan 2014 states that development proposals must conserve and enhance the historic assets of Havant'.

Assessment

The single storey extension and glass balustrade is of a design and size that would not cause any adverse impact on the character of the Conservation Area. They would also be in keeping with existing property and would not appear overly dominant.

Alterations to the fenestration also sit comfortably on the host building improving the appearance overall.

In consideration the proposals would preserve the character of the conservation area and the existing dwelling and is considered acceptable

1. No work shall commence until new external window and door details have been provided. Such information to comprise: - 1:20 plan, section and elevations shown in context with the opening within it is set. Details of finishes and the method of opening to be provided. The details shall be submitted to and approved in writing by the local planning authority and thereafter carried out in full accordance with such approval and be retained thereafter

Reason: In order to safeguard the building's special architectural and historic interest.

2. Material samples to be provided and agreed in writing by the local planning authority.

Reason: In order to safeguard the building's special architectural and historic interest.

Conclusion No objection

Conservation Officer Response 2

Having now reviewed the details submitted for the windows and doors I can confirm that I would be happy for the condition to be discharged.

The specifications of materials are acceptable.

Ecology

The application is not accompanied by any ecological information and I have therefore carried out my own non-exhaustive desk-based assessment using the application documents, online sources and GIS mapping. From my review of the submitted documents I would not raise any concerns in relation to ecological matters: the proposed works would be restricted to specific areas which, in my view, would not be likely to support protected and notable species. On that basis, I wouldn't advise that ecological assessment is required.

I should add that in any case ecological assessments should not be conditioned, otherwise the LPA has not based their decision on the best-available information.

Councillor Julie Thain-Smith

No Comment.

Councillor Lulu Bowerman

No Comment.

Councillor R Kennett

No Comment.

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: 6

Number of site notices: Not applicable.

Statutory advertisement: 21/08/2020

Number of representations received: 0

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
- (iii) Effect on neighbouring properties

(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. In this case the works within the Emsworth Conservation Area and Chichester Harbour Area of Outstanding Natural Beauty and the proposal is consider below.

(ii) Appropriateness of design and impact on the character of the area

7.3 The proposed development would involve the demolition of the existing conservatory and the erection of a single storey rear extension. This would be used as an extended kitchen/dining room area. It would have a width of approximately 6.4 metres, a depth of approximately 2.5 metres and a flat roof with two rooflights coming to a maximum height of approximately 3.2 metres.

7.4 The proposal would also involve alterations to the fenestration and provide a new balustrade to existing balcony parapet. In terms of fenestration alterations to the north west side of the property the door into the garage would be replaced and there would be a reduction in size of the window serving bedroom 2 on the first floor. There would

also be a new door serving the dining room. On the north east side (rear) the existing window in the lounge would be replaced with French doors. There would also be two sets of French doors in the proposed rear extension. Furthermore, there would be a new external flue.

7.5 The proposed development would match the style and appearance of the existing property in terms of brickwork. The proposed extension would have EPDM to the new flat roof. The new windows and doors at rear ground floor would be black stove - enamelled aluminum. The remaining softwood windows would be replaced with UPVC to match the existing. This is considered to be inkeeping with the context of the main dwellinghouse and inkeeping with the conservation area and AONB.

7.6 The property is located within a residential area with some of the surrounding properties being listed buildings. As most of the proposed works would be rear of the property and would not be visible from the public realm. There are minor alterations to the front of the property which are considered to be acceptable. Therefore, the proposed development is considered to have a limited impact on the appearance, character and setting of the property and surrounding area and would not impact on the setting of listed building in the locality.

7.7 The Conservation Officer was consulted on this application stating the single storey extension and glass balustrade is of a design and size that would not cause any adverse impact on the character of the Conservation Area. They would also be in keeping with existing property and would not appear overly dominant. Alterations to the fenestration also sit comfortably on the host building improving the appearance overall. In consideration the proposal would preserve the character of the conservation area and the existing dwelling and is considered acceptable. Therefore raising no objection suggesting 2 conditions. With regards the suggested conditions, the applicant's agent provided detailed of the windows and doors which were subsequently deemed acceptable by the Conservation Officer, as were the specifications of materials provided. Therefore negating the need for the suggested conditions.

7.8 The site falls within the Chichester Harbour AONB, and due to the nature of the proposal would be unlikely in visual terms to adversely impact the wider environment or have an impact on the AONB in terms of character and its setting, in accordance with Policy CS12 of the HBLP (Core Strategy). As to the condition suggested by the Chichester Harbour Conservancy in respect of internal screen blinds for the rooflight this is recommended. Concerning a condition relating to external lighting this would remove an existing right that the property enjoys and would not relate to the development permitted and therefore would not satisfy the test as to conditions. As to ecological information being provided prior to demolition, (which cannot be conditioned, as such information, if required, needs to inform the application), the Ecologist was consulted over this point, who did not deem this necessary from his assessment of the application and therefore a condition to this effect has not been recommended.

7.9 Consequently, it is considered that the proposal would preserve the Conservation Area and would not impact on the listed buildings in the immediately locality, meeting the requirements of Policies CS11 and CS16 of the HBLP (Core Strategy) and DM20 of the HBLP (Allocations) and the statutory duty set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(iii) Effect on neighbouring properties

- 7.10 To the north west side of the property there would be an additional door serving the dining room. This would be screened by the existing brick wall and is therefore deemed acceptable. To the South East side the proposed rear extension would not extend out any further than the existing conservatory screened by the existing brick wall, therefore it is not considered to appear harmful to the occupiers of No.22a King's Street.
- 7.11 To the rear there would be a new glass balustrade over the existing low level wall on the balcony parapet. The balcony's views have already been established and therefore the provision of the glass balustrade would not change the current position, as to overlooking. On the proposed rear extension there would be two sets of French doors facing the rear garden. These views would be screened by the existing 2 metre high brick wall and as a result not considered to cause harmful overlooking.
- 7.12 Consequently, it is considered that the proposal will not appear overbearing or lead to a greater level of overlooking 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 Policies CS11, CS16 of the HBLP (Core Strategy) and DM20 of the HBLP (Allocations) and H1, D1, D2 and D3 of the Emsworth Neighbourhood Plan the statutory duty set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is noted no letters of objection were received with respect to the scheme.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00643

- 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:

Location and Block Plan - 20024-101 0
Proposed Floor Plans - 20024-411 E
Proposed Elevations - 20024-511 E
Windows and Doors Number Plan - 20024-412
Windows 5 and 6 Details - 20024 601
Windows 7 and 8 Details - 20024 602

Windows 4 and 10 Details - 20024 603
Window 1 Details - 20024 604
Window 9 Details - 20024 605
Windows 14 and 15 Details - 20024 606
Doors 20 and 21 Details - 20024 607

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall match, in type, colour and texture, those of the existing building 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 Prior to occupation of the hereby approved development the rooflight shall be fitted with working internal screen blinds to reduce light spillage during evenings and night-times (dark skies policies) in order to minimise and reduce the amount of light illumination emitted to the surrounding skyline.

Reason: To reduce light spillage during evenings and night-times (dark skies policies) in order to minimise and reduce the amount of light illumination emitted to the surrounding skyline and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.