
Site Address:	23 Tower Street, Emsworth, PO10 7BH		
Proposal:	Garden wall built up from existing concrete retaining sea wall.		
Application No:	APP/20/00219	Expiry Date:	05/05/2020
Applicant:	Mr & Mrs Winch		
Agent:	Helyer Davies Architects Ltd	Case Officer:	Joseph Toole
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site lies within the AONB occupying a built-up town location. The application site has a boundary with a coastal frontage. The proposal would therefore have a visual impact to both the character of the AONB harbour coastal waters as well as the AONB countryside in this town locality. The application site comprises a Grade II 17th C listed building in residential use. It is located at the end of Tower Street in the Emsworth Conservation Area. It occupies a prominent position facing onto Chichester Harbour.

The application site is located to the south of Emsworth town. The site is situated to the west of Town Street, where access is taken from and the dwelling itself is located to the west side of the application site and along the Chichester Harbour Coastline. To the north, east and west of the application site are other properties.

The house is set back from the coastal footpath frontage and sits on higher level land. The southern boundary comprises a concrete finished wall with a staircase set into the wall and set back into the raised grounds of the site. A horizontal timber two-railing fence sits on top of the existing wall.

The surrounding buildings are mostly residential and vary in their appearance, through of vernacular design. Materials consist of flint, painted render, brick and clay hanging tiles, with clay tiled and slate roofs.

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

2 Planning History

04/55935/000 - Application to thin by 10% prune southern canopy by 1 metre T2 subject of TPO 1484., PERM,13/10/2004

04/55935/001 - Notification of intention to prune 1 metre from Southern section of a Sycamore within Emsworth Conservation Area., RNO,28/09/2004

APP/14/00144 - Crown reduce 1No. Poplar by 4m to previous pollard points; within Conservation Area of Emsworth., RNO,20/03/2014

APP/15/00179 - Fell 1No. Sycamore within Conservation Area of Emsworth., RNO,25/03/2015

APP/15/00248 - Demolition of existing side lean to extension and construction of single storey side extension. Conversion of existing detached garage to studio. Replacement railings and gate to front boundary., PERM,15/05/2015

APP/15/00249 - Listed Building Consent for demolition of existing side lean to

extension; external and internal renovation and refurbishment works.,
 PERM,15/05/2015
 APP/15/00501 - Replacement wall to east boundary, UNK,
 APP/15/00502 - Replacement wall to east boundary, UNK,
 APP/15/00851 - Remove earth mound. Replace listed wall with new boundary wall
 reusing original materials and matching new materials where necessary.,
 PERM,06/10/2015
 APP/15/00852 - Listed Building Consent for removal of earth mound. To replace
 listed wall with new boundary wall reusing materials and matching new materials
 where necessary., PERM,06/10/2015
 APP/15/00921 - Discharge of Condition No. 3 of Planning Permission APP/15/00248.,
 PERM,07/09/2015
 APP/15/00922 - Discharge of Condition No. 3 of Listed Building Consent
 APP/15/00249., PERM,07/09/2015
 APP/15/01090 - Discharge of Condition No.4 of Planning Permission APP/15/00249.,
 PERM,12/10/2015
 APP/15/01394 - Listed Building Consent for removal of earth mound. To replace
 listed wall with new boundary wall reusing materials and matching new materials
 where necessary. Request to Discharge Condition 2 of Planning Permission
 APP/15/00852., PERM,17/12/2015
 APP/16/00414 - Additional rooflight to north elevation., PERM,10/06/2016
 APP/16/00415 - Listed Building Consent for additional rooflight to north elevation.,
 PERM,10/06/2016
 APP/18/00175 - Listed Building Consent for replacement of existing south elevation
 windows.(Approved 06.04.18). Request to Discharge Condition No.3 (03.08.18).,
 PERM,05/04/2018
 APP/18/00762 - Installation of wooden trellis fencing to existing wall in internal
 courtyard., PERM,14/09/2018
 APP/18/00763 - Listed building consent for installation of wooden trellis fencing to
 existing wall in internal courtyard., PERM,14/09/2018
 APP/18/00774 - Drawing 14169-52 which has all window details, includes 1:5
 sectional plan of sash window, materials, finishes and depth of reveal., UNK,
 APP/20/00220 - Listed Building Consent for garden wall built up from existing
 concrete retaining sea wall., DEL,

3 Proposal

Garden wall built up from existing concrete retaining sea wall.

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)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

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

Emsworth Neighbourhood Plan Post Examination Version 2020
Policy H1 Design and Heritage
Policy D1 General Design Policy
Policy D2 Height, Massing and Materials
Policy D3 Layout, Form and Density

Listed Building Grade: Grade 2
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Arboriculturalist, Havant Borough Council

I haven't been able to visit, however it doesn't appear to affect any trees.

Conservation Officer

Background

The application site comprises a Grade II 17th C listed building in residential use. It is located at the end of Tower Street in the Emsworth Conservation Area. It occupies a prominent position facing onto Chichester Harbour.

There is an attractive garden which separates the house from the harbour edge. This is marked by a low height, wooden style picket fence

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.

Policy CP16 (1a) of the Core Strategy 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 states that development proposals must conserve and enhance the historic assets of Havant.

Proposal: _

The proposal is for a new garden wall in place of the existing picket wooden fence. The wall would be constructed of brick at a height of 0.7m, topped with a timber panel.

The new wall will run along the southern boundary, the existing brick retaining walls to the access stair will also be raised to match the level of the new brick wall. These will return to the top of the stair and finish at the existing retaining wall level. The base of the wall will be built in brick with a soldier course at the top. The bricks will be reclaimed to match the existing house. The timber screen fixed above is to be built in treated cedar and will mirror the design below.

Assessment of proposal

At present, the application is the only property without a brick wall to mark the boundary with the harbour edge. The proposal therefore to build a low height brick wall is not considered to be out of character with the conservation area, or the general Chichester Harbour AONB setting.

Overall the proposal would not result in harm to the significance of the listed building, or the wider conservation area, which includes the harbour setting.

The quality of materials here will be key. I therefore advise that materials samples for both the wall and the timber panel are provided and agreed prior to any works commencing. For the wall, details of the style of brickwork to be used also details of the type of mortar to be used. Also details of how the panel will be fixed to wall.

Conclusion – No objection subject to above condition being included.

Chichester Harbour Conservancy

No Objection

Given its setting, the proposal for a raised garden wall 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 wall 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.

Suggested Considerations

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

Councillor Julie Thain-Smith

No Comment.

Councillor Lulu Bowerman

No Comment.

Councillor R Kennett

No Comment.

Environment Agency

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: At least one site notice exists - check the number.

Statutory advertisement: 13/03/2020

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
- (iv) Ecology
- (v) Flooding
- (vi) Trees

- (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 area

7.3 The proposal is for a new garden wall in place of the existing picket wooden fence. The wall would be constructed of brick at a height of 0.7m, topped with a timber panel. The new wall will run along the southern boundary, the existing brick retaining walls to the access stair will also be raised to match the level of the new brick wall. These will return to the top of the stair and finish at the existing retaining wall level. The base of the wall will be built in brick with a soldier course at the top. The bricks will be reclaimed to match the existing house. The timber screen fixed above is to be built in treated cedar and will mirror the design below.

7.4 The Council's Conservation Officer was consulted on this application and raised no objection stating the application site is the only property without a brick wall to mark the boundary with the harbour edge. The proposal therefore to build a low height brick wall is not considered to be out of character with the conservation area, or the general Chichester Harbour AONB setting. Overall the proposal would conserve the character and setting of the listed building, the wider conservation area, and the harbour setting of Chichester Harbour AONB.

7.5 Chichester Harbour Conservancy were consulted on this application and raised no objection stating the proposal for a raised garden wall 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 wall proposal is would conserve the AONB in terms of landscape character or in relation to wildlife conservation and protection.

- 7.6 The Conservation Officer and Chichester Harbour Conservancy requested that materials samples for both the wall and the timber panel are provided and agreed prior to any works commencing. For the wall, details of the style of brickwork to be used also details of the type of mortar to be used. Also details of how the panel will be fixed to wall. A condition requesting samples prior to commencement was agreed by the applicant's agent and therefore added to the decision notice.
- 7.7 The design and appearance of the proposal is deemed appropriate, overall the proposal would conserve the character and setting of the listed building, the wider conservation area, and the harbour setting of Chichester Harbour AONB., meeting the requirements of Policy Cs11, CS16 of the HBLP (Core strategy), DM20 (Local Plan Allocations) and H1, D1, D2 and D3 (Emsworth Neighbourhood Plan).

(iii) Effect on neighbouring properties

- 7.8 The proposed development is considered not to have a negative impact on neighbouring properties.
- 7.9 Consequently, it is considered that the proposal will not appear overbearing or lead to 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 Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) Ecology

- 7.10 Due to the nature of the proposed development it is not considered to have an adverse impact on the ecology of the area.

(v) Flooding

- 7.11 The application would be classed as a 'minor development and according to the National Planning Practice Guidance (NPPG) unlikely to cause flood risk unless they would have an adverse effect on a watercourse, floodplain or its flood defences; they would impede access to flood defence and management facilities, or; where the cumulative impact of such developments would have a significant effect on local flood storage capacity or flood flows. The proposal should not effect these areas.
- 7.12 The dwelling sits within Environmental Agency's Flood Zone 1, although the end of the garden sits within Flood Zone 3 'high probability of flooding'. The application is for a boundary wall therefore there would be minimal increase in hardsurfacing associated with the development that would increase water run-off. Furthermore, due to the minor nature of the proposal it would be unlikely to cause flooding to the site and elsewhere and therefore accords with policy CS15 of the Core Strategy. Environment Agency has no comment on the application.

(vi) Trees

- 7.13 Within the application site there are two TPO to the front access to the property (1788 and 1484) which would not be within close proximity to the proposed boundary wall. The Council Arboriculturalist was consulted on the application whom stated although a

site visit has not been carried out the proposed works do not consider to affect any trees.

8 **Conclusion**

- 8.1 Overall the proposal would conserve the character and setting of the listed building, the wider conservation area, and the harbour setting of Chichester Harbour AONB. Furthermore 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/20/00219

- 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:

Block and Site Plan - 20024/006
Existing and Proposed Elevation and Section - 20024/005
Hertiage Statement
Design and Access Statement

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 Construction of the boundary wall hereby permitted shall not commence until:

samples of the brickwork;
details of the style of brickwork to be constructed;
the type of mortar to be used;
the timber panel to be used, including how the panel will be fixed to the wall;

are submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11.4, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.