

Recommendation: **GRANT PERMISSION**

APP/12/00611 - Application for Variation of Condition No. 9 of Planning Permission
APP/11/01064 relating to proposed installation of solar panels to roof of property.,
PERM.07/08/2012

3 Proposal

- 3.1 The application is for the conversion of part of garage to habitable accommodation and installation of 2 No. rooflights and a new full height window to replace an existing window on southern elevation of the single storey element of the property.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016
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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

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

Havant Borough Pre Submission Local Plan 2036

E1*	(High quality design)
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Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

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, and these 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 visual horizontal aspect of the new window openings.
- any and all roof lights / skylights / ridge-lights / roof lantern 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.

The proposal would have a localised impact on the character and appearance of the building and the immediate surrounds. The proposal would have a visual impact on the AONB, but this is 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.

A copy of the Chichester Harbour Conservancy AONB Unit Planning Assessment

Officer comment: Conditions recommended

Conservation Officer, Development Control

The site is located at the southern end of King Street on a peninsular that extends into the harbour. It comprises a low level, contemporary property of a unique design. It is highly visible in the context of the Chichester harbour setting. The site also falls within the Emsworth Conservation Area boundary.

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 proposed works relate to the conversion of part of the garage to habitable accommodation, including the insertion of 2no roof lights and a new full height window to replace an existing window on southern elevation of the single storey element of the property. No other structural changes are proposed.

With regards to the impact on the designated heritage asset, that being the Emsworth Conservation Area in this case, it is considered that the impact would be negligible. The proposed works would be mainly internal, other than the two roof lights and replacement window which are considered to be in keeping with the main property. Overall is considered that the proposal will meet the test to preserve and enhance the character and appearance of the conservation area.

Condition:

- Roof light windows and replacement window to match in style and design with existing fenestration.

Conclusion - No objection

Officer comment: Condition recommended

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: 2

Number of site notices: 1

Statutory advertisement: Not applicable.

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
- (iii) Parking provision
- (iv) Effect on neighbouring properties
- (v) Effect on the Conservation Area
- (vi) Flood issues

(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 control criteria. The use of the accommodation is recommended to be conditioned to be ancillary to the main house.

(ii) Appropriateness of design

7.3 The original property was demolished and rebuilt under Planning Permission APP/11/01064, including conditions restricting the conversion of any part of the garage and the introduction of any new windows or rooflights. The proposal seeks to convert part of the garage, replacing a section of the existing access doors with brickwork and timber cladding, replace an existing window on the single storey southern elevation with a new full height window and introduce two rooflights to the northern and eastern roof slope of the single storey element. Only the new rooflights would be visible from the public realm, however they are of a modest size. The design and appearance of the proposed works are deemed appropriate in context to the main building and therefore considered to be acceptable.

(iii) Parking provision

7.4 The proposal to convert part of the garage would relinquish a parking space and as the dwelling has four bedrooms there is a requirement for 3 on site parking spaces as outlined in the Havant Borough Residential Parking SPD and in accordance with policy DM13 of the Havant Borough Core Strategy.

7.5 The proposed block plan submitted with the application shows the arrangement of three parking spaces within the curtilage of the front garden of the property, together with the remaining two spaces in the garage. It is therefore considered a condition is not necessary in this instance.

(iv) Effect on neighbouring properties

7.6 The proposed external fenestration alterations face south into the site and the new rooflights are modest in size and would not result in any overlooking of the properties to the north. It is therefore considered any impact on the amenities of these properties would be negligible. There are no other properties bordering the site.

(v) Effect on the Conservation Area/AONB

7.7 The property is an unlisted building in Emsworth Conservation Area. The Council's Principal Conservation Officer has provided comments and considers that the impact would be negligible. The proposed works would be mainly internal, other than the two

roof lights and replacement window which are considered to be in keeping with the main property. Overall is considered that the proposal will meet the test to preserve and enhance the character and appearance of the conservation area, meeting the requirements of policy DM20 of the HBLP (Allocations). In relation to the impact on the AONB, given the modest changes and the imposition of appropriate conditions it is not considered that the wider impact on the AONB would be significant.

(vi) Flood issues

- 7.8 The site is within Flood Zones 2 and 3, however the proposed development is to convert part of the existing garage and fenestration alterations, and will therefore not put the occupiers or employees of the emergency services at any additional risk in the event of a flood. The agent has submitted a flood risk assessment to confirm that appropriate flood risk measures have been considered. The development therefore meets the requirements of policy CS15 of the Havant Borough, Local Plan (Core Strategy).

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and conserve the character and appearance of the Emsworth Conservation Area. It is therefore considered to be acceptable and is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00406 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:
Drg no. 10067/700 Rev A Location plan, block plan, existing floor and elevations plan
Drg no. 10067/701 Rev A Location plan, block plan, proposed floor and elevations plan
Flood Risk Assessment
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 The two new rooflights as shown on approved plan number 10067/701 Rev A 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.
Reason: In the interests of the amenities of the area, to mitigate the impact of glazing viewed from Chichester Harbour and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Chichester Harbour Area of Outstanding Natural Beauty Joint SPD 2017 and the National Planning Policy Framework.
- 5 The glazed fenestration on the southern elevation as shown on approved plan number 10067/701 Rev A should employ tinted glass panels, and these 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 visual horizontal aspect of the new window.
Reason: In the interests of the amenities of the area, to mitigate the impact of glazing viewed from Chichester Harbour and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 Chichester Harbour Area of Outstanding Natural Beauty Joint SPD 2017 and the National Planning Policy Framework.
- 6 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of the existing dwelling and shall not be used as a separate unit of accommodation.
Reason: The unit of accommodation is not a satisfactory position / has insufficient amenity space to be occupied separately from the main dwelling and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.