

Recommendation: **GRANT PERMISSION**

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
DM11	(Planning for More Sustainable Travel)
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)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy - No Objection

Suggested considerations –

- schedule/samples of materials to be agreed prior to construction / as indicated on application forms

- 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)

Given the application sites setting the proposal is not considered to be unduly prominent to be detrimental to the character or the appearance of the Area of Outstanding Natural Beauty (AONB) or harmful in relation to wildlife conservation and protection.

Conservation Officer, Development Control - No Objection

The proposals include several elements which are discussed below:

Car Port The existing entrance structure along the northern elevation is to be removed and replaced with a car port structure with pitched roof canopy supported on oak posts. Overall, the design of the building is neat and appropriate for the site, with timber cladding and suitably sized openings.

There will be a slight increase in the height and footprint of the garage but as stated above I believe the design and orientation of the building has largely overcome this.

Revised ground floor layout and garage conversion

The ground floor proposal includes additional habitable accommodation with conversion of the garage but also with extending under the front and rear balconies along with a small rear extension extending past the balcony as a single storey flat roof extension. I am of the view that these proposals are of a design and size that would not cause any adverse impact on the character of the Conservation Area. The extension is also in keeping with existing property and would not appear overly dominant or out of character.

Revised Fenestration

Various revisions are proposed to the fenestration. New doors and windows are proposed for the new openings and all existing windows and doors will be replaced. These proposals are all in keeping with the existing dwelling and would therefore not harm the character of the conservation area.

Revised Driveway

The new layout is similar to that when the building was a bungalow before works were

undertaken in the 1990s. The works appear to enhance the appearance causing no harm to the conservation area.

Revised roof to detached garage

The existing shingle tiles to the detached garage are to be replaced with plain tiles to match the dwelling. In order to allow for matching plain tiles the roof pitch needs increasing, which in turn will raise the roof by approx. 300mm. This height increase is considered minimal and as having no impact on the conservation area

To conclude the use of good quality materials will be key to the successful integration of these proposals. As such the following condition should be attached to any permission given.

- Material samples to be submitted

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: 3

Number of site notices: One

Statutory advertisement: 16/08/2019

Number of representations received: 0

Comment	Officer Comment
None.	

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 Emsworth Conservation Area
- (iii) Effect on neighbouring properties
- (iv) Impact on Heritage Assets
- (v) Parking and Highway Safety
- (vi) Flood Risk

- (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 site is located within Emsworth Conservation Area where 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 (considered below).

Appropriateness of design and impact on the Emsworth Conservation Area

- 7.3 The construction of the carport to the northern side elevation though extending along most of this elevation would be set back from the frontage of the dwelling. The carport would have a hipped roof that would integrate effectively with the hipped roof of the existing front and rear two storey projections as well as the front and rear hipped roof dormers. The car port would not represent an undue visual change from the existing single storey structure to the side elevation which would be demolished to be replaced by the car port.
- 7.4 The single storey flat roofed rear extension, would be set below an existing balcony, that would project by approximately 2m from the main house, which would be clad. The extension would be subservient to the main house and due to its rear location, would not have an adverse impact on the Conservation Area.
- 7.5 There would be alterations to the fenestration to all but the south elevation and these would largely represent minor cosmetic alterations. The most discernible visual change would be to the front elevation where the existing twin garage doors would be replaced with an infill extension, and a new recessed entrance and cladding to the exterior. The extension would not represent an incongruous alteration. The recessed entrance would be clearly read as an entrance to the reconfigured dwelling without appearing unduly prominent within the wider area.
- 7.6 The proposed driveway would in regards to the proportion of hardstanding vis a vis soft landscaping be of a similar extent as which currently exists. The access would not represent an undue hardening of the frontage of the dwelling and would not cause an undue impact to the overall appearance of the dwelling or the wider area.
- 7.7 The increase to the roof of the single storey detached garage to the rear by 0.3m would be of such small scale to have no harmful visual impact to the dwelling or the wider area.
- 7.8 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy).

(iii) Effect on neighbouring properties

- 7.9 The rear single storey extension would be located close to the neighbour's boundary to the south, which due to the orientation of the property, a 1.8 m fence between the two properties and an outbuilding on the adjacent property, would have a limited and acceptable impact on the occupiers' amenity.
- 7.10 The removal of the side structure to the northern elevation and replacement with a car port would have no undue impact on the property adjacent to this aspect of the development, no. 46 Bath Road, due to the neighbouring property's orientation to the north of the application site, approximately 12m separation distance and the open, single storey scale of the car port.
- 7.11 The fenestration alterations would not lead to any window opening being higher than existing or in a location where overlooking of neighbouring properties would occur over and above that which currently exists.

- 7.12 The increase of the roof height of the rear detached garage by 0.3m would have no undue impact in regards to overshadowing or overbearing of the rear elevation of no. 46, due to the separation distance from the structure and the limited degree of the height increase.
- 7.13 The revised driveway would not result in an intensification of noise impacts while the visibility splays of no. 46 and no. 48 respectively would not be impacted.
- 7.14 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) Impact on Heritage Assets

- 7.15 Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 states “In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area”.
- 7.16 It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework at paragraph 190 sets out that the local planning authority should identify and assess the particular significance of any heritage asset. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 7.17 Paragraphs 193-197 sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.
Policy CS11 of the Core Strategy 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.*
- 7.18 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.*
- 7.19 Policy DM20 of the Allocations Plan states that development proposals must conserve and enhance the historic assets of Havant.

Impact on setting of the Conservation Area

- 7.20 The application dwelling sits to western edge of the Emsworth Conservation Area; this part of the Conservation Area is defined by the early 20th Century and inter-war housing that surround the Town Mill Pond. The Emsworth Conservation Area appraisal defines the western side of the Town Mill Pond where the application is located as “suburban in character and thus very different to the overall 18th Century character of the rest of the Conservation Area to the east. Although of modest design the appearance of these houses is enhanced by the waterside location. They are nonetheless, in their own way,

complimentary to the Mill Pond, providing an uncomplicated backdrop”.

- 7.21 The existing entrance structure along the northern elevation would be removed and replaced with a car port structure with pitched roof canopy supported on oak posts. The car port would be a lightweight structure, set back from the frontage of the dwelling. The car port would have a lower height than the existing entrance which is to be demolished and overall, the Conservation Officer concluded that the design would be appropriate for the site.
- 7.22 The single storey rear extension would not be visible from Bath Road or the wider Conservation Area. The extension would be in keeping with existing property and would not appear overly dominant or out of character and not cause undue harm to the character of the Conservation Area.
- 7.23 Various revisions are proposed to the fenestration including the front infill extension and a new recessed entrance and a ground floor area terrace with balustrade to the front elevation. The proposed alterations would be in keeping with the existing dwelling, and appear proportionate in relation to the layout of the existing openings and would therefore not harm the character of the Conservation Area.
- 7.24 The new access would be similar to that which existed when the building was a bungalow before works were undertaken in the 1990s. The proposal would see the retention of a similar extent of soft landscaping to the front garden as existing and overall it is considered that there would be no undue harm to the Emsworth Conservation Area.
- 7.25 The existing single bay detached garage which is set to the rear of the dwelling would see shingle roof tiles replaced with plain tiles to match the dwelling. In order to allow for matching plain tiles, the roof pitch would be raised by 0.3m. This height increase is considered minimal and would not result in the garage becoming unduly prominent within the Conservation Area.
- 7.26 The proposal by reason of its design, siting, scale, massing, layout and subject to a material sample condition as recommended by the Conservation Officer would be acceptable and would contribute and respond to the local context and preserves the character of the Emsworth Conservation Area. The proposal accords with Policy CS11, CS16 and DM20 of the Havant Local Plan and Chapter 16 of the National Planning Policy Framework.
- 7.27 The Chichester Harbour Conservancy has suggested 2 conditions if permission is forthcoming. These relates to - schedule/samples of materials to be agreed and "...that 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)..." As to samples of materials a condition to this effect is recommended. As to the second condition, the applicant has objected to this condition on the grounds that such a condition was not imposed on a similar proposal granted planning permission under reference APP/19/00264 on 1 May 2019; that the increase in glass on the front elevation is less than the previous approval, being modest with approximately 4m sq. of additional glazing, compared to approximately 10 m sq to the previous approval; none of the other houses in the road have tinted windows, except no 48 being of a more modern contemporary design; tinted glass would make this property different with others in the road and would look out of place and incoherent within the street scene; blinds appear to relate to a more modern 'curtain wall' for a more fully glazed design of structure, rather than the modest proportioned glazing sizes of this more traditional dwelling design.
- 7.28 The comments of the CHC are noted, as is what they are trying to achieve, by their dark skies' policy. That said, their suggested condition was not imposed on the earlier permission, albeit they were not consulted. For consistency and unless material

considerations indicate otherwise, any condition should reflect those previously imposed and be reasonable and necessary for the development permitted. Importantly, the previous permission may be lawfully implemented, resulting in a larger glazed area, detracting from the aims of the dark skies' policy. Having full regard to all material considerations, the test relating to conditions and consistency in decision making, such a condition is not considered necessary or reasonable for the proposed development.

(v) Parking and Highway Safety

- 7.29 DM13 of the Core Strategy states that residential development must accord with the standards set out in the Havant Borough Council Parking Supplementary Planning Document 2016. The dwelling currently has 4 bedrooms and this total will remain the same. Though the twin integrated garages spaces would be lost, the demolition of the single storey structure to the northern elevation would enable the use of the existing garage to the rear while also enabling the creation of a new car port. When the provision of hardstanding at the site is considered, it is deemed that the parking spaces would be sufficient for a dwelling of this size and parking for 3 + cars can be provided.
- 7.30 Policy DM11 requires that safe and secure vehicular and turning facilities to adopted standards are provided. The shifting of the access to the north of the site and the reconfiguration of hardstanding at the site would not result in diminished visibility splays or an insufficient turning area to allow cars to enter Bath Road safely. It is therefore considered that the altered access complies with Policy DM11.

(vi) Flood Risk

- 7.31 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.
- 7.32 The dwelling is outside of Flood Zone 2 and 3 though the eastern edge of the site where the access meets Bath Road is at the very edge of Flood Zone 3. The in-fill extension to the front would result in this part of the dwelling being extended 0.8 m toward the Flood Zone, bringing it in line with the balcony above. The existing levels of the dwelling would be retained. There would be no undue increase of hardstanding at the site which would increase water run-off with the access representing a reinstatement of a previous access. The property would also remain as a 4 bed dwelling. Due to the minor nature of the front extension, which falls within Flood Zone 1, the development would be unlikely to cause or add to flood risk. The proposal therefore accords with Policies CS15 of the Core Strategy and DM25 of Local Plan (Allocations).

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have no undue impact on the character of the wider area, the Emsworth Conservation Area, neighbouring amenity, highway safety or flood risk 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/19/00799 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:
Site and block plans - drawing no. P_13
Existing ground, first and second floor plan - drawing No. EX_01
Existing elevations of house and garage - EX_02
Proposed ground, first and second floor plan - drawing No. P_10B
Proposed extension and alterations - drawing No. P_11B
Reason: - To ensure provision of a satisfactory development.
- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.