
Site Address:	Ivy House, 11 King Street, Emsworth, PO10 7AX		
Proposal:	Change of use of annex to holiday accommodation.		
Application No:	APP/19/00375	Expiry Date:	25/06/2019
Applicant:	Mrs Susan Sylvester		
Agent:		Case Officer:	Tina Pickup
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

11 King Street, Emsworth is a Grade II Listed Building located on the south side of King Street. The Listing details describe the property as:

"House with later rear additions. Late C18 with mid C19 additions. Brick, with a tile roof. Symmetrical front (north-east) of 2 storeys, 5 windows. Blue header brick walls with red flush dressings; brick dentil eaves, quoins, cambered rubbed arches, projecting 1st floor band, high plinth. Victorian sashes in exposed frames. Doorway with cornice on carved brackets, plain frieze, eaved architrave, panelled reveals, and 7-panelled (1 top glazed) door. 3-storeyed mid C19 rear extension, with tile roof and rendered walls. Within there are fireplaces, doorcases with panelled doors, dado panelling in the hall, panelled rear hall with dog-leg staircase."

The property is a single family dwelling currently being renovated. Notwithstanding the detail above, the 3 storey rear element is clad in white timber. To the rear there is also a double garage with accommodation above, that is linked to the rear elevation of the main house. The application proposal relates to this rear element - and includes two rooms on the ground floor accessed internally from the hallway, a staircase up to a bedroom above the garage which has a bathroom. Application APP/19/00327 approved some alterations to the property including replacement windows, reconfiguring the bathroom and the addition of juliette doors in this bedroom.

A side drive serves this garage with graveled parking and turning area. The rear garden is enclosed with high boundary brick walls.

The site is surrounded by other residential properties - to the west, No 7 is the frontage dwelling (also Listed) and set behind are a series of shared outbuildings and access to No 9 which is located to the south, having a public outlook over the fore shore and a more private rear garden to its north. To the east Swan Close is a private drive serving 3 detached dwellings.

The site also lies within Emsworth Conservation Area and Chichester Harbour AONB.

2 Planning History

97/62686/000 - Listed Building Application to take down and rebuild two chimneys and parapet coping bricks on east elevation, PERM,10/09/1997

06/62686/001 - Erection of a small composite "Resident parking/limited waiting" restriction sign on northerly gate pillar of property. Listed Building Consent., PERM,13/02/2007

APP/19/00326 - Loft conversion, replacement windows and doors including provision of Juliette balcony to southern elevation., PERM,
APP/19/00327 - Listed Building application for loft conversion, replacement windows and doors including provision of Juliette balcony to southern elevation and alterations., PERM,

3 Proposal

Change of use of annex to holiday accommodation.

It is proposed to offer the rear part of the site for tourist accommodation (likely to be Airbnb) on a self catering basis. A double bedroom, kitchenette area and lounge would be provided. Assuming the lounge contains a bed-settee then the area could accommodate up to 4 guests, although the applicant states that it will be advertised for 2 visitors. The garden area would remain as existing with guests sharing its use. During the course of determining this application a parking plan has been provided showing the availability of 2 spaces for the annexe and 3 for the main dwelling.

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)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS16	(High Quality Design)
CS21	(Developer Requirements)
CS5	(Tourism)
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)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Emsworth neighbourhood plan - Policy W4 relates to Technology & Tourism and encourages the growth of the tourism industry

Listed Building Grade: II
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

No objection.

Having regard to the Policy framework* below, the Conservancy raises no objections to these proposals which would make good use of ancillary accommodation to promote tourism within the area and those visiting the AONB in particular. Visitors would also be likely to spend money in the Emsworth shopping centre, contributing to its vitality.

Conservation Officer

Background

11 King Street (Ivy House) is a Grade II listed building in residential use. It comprises mainly two parts – the Georgian section at the front and the Victorian extension, along with other various later additions. It is located on King Street in the Emsworth Conservation Area.

Internally, the majority of the Georgian layout remain intact but some alterations to fireplaces have occurred. The original doors and windows are in situ and have been restored by the new owners. Various alterations have been made to the rest of the house which do not wholly respect the historic character.

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.

Considering potential impacts

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional
- 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.

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 the change of use of the annexe to holiday accommodation. The annexe is located to the rear of the property and comprises part of the Victorian element of the property. It also includes the room over the existing garage. The proposed physical alterations on the area of the building proposed for the change of use, are being considered under a separate listed building application (APP/19/00327) and include the following alterations:

- full length doors with a Juliet balcony on the rear elevation at first floor level
- replacement window at first floor level on the west elevation
- Internal reconfiguration to first floor of annexe with creation of new stud walls

Assessment of proposal

The proposed change of use of the annexe from residential to holiday accommodation is not considered to result any significant material impact to the designated heritage asset, that being the listed building. Also, the proposed use is not considered to have an adverse impact on the character of the conservation area. Therefore, the proposal is in accordance with the relevant national and local planning policies and as such, no objection is raised.

Hampshire Highways

This proposal does not include an alteration to the access, on site parking is a matter for your Authority. I therefore confirm the Highway Authority have no objection to this proposal.

Hampshire Highways - on revised parking plan

As you know the Highway Authority are recommending no objection to this proposal. Whilst the submission of a parking plan is useful it does not alter my recommendation. It would have been useful to have received this earlier.

Natural England

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process. Natural England is aware that your authority is developing an interim strategy to address nutrient impacts from developments currently in the planning system and we are working with the Council to develop this approach. Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. With regard to deterioration of the water environment, it is noted that the approach to address the positive nitrogen budget for this development is to offset against existing lawful use of the property. We advise that you seek and rely on your own legal opinion with regard to this approach. In the absence of a strategic solution, it is Natural England's view that in this case, provided the Council as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Please note these matters should be reviewed as the strategic solution is progressed.

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: 11

Number of site notices: 1

Statutory advertisement: 10/05/2019

Number of representations received: 0

Comment	Officer Comment
None received	

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) Impact upon Listed Building and Conservation Area and AONB
- (iii) Effect on neighbouring amenity
- (iv) Highways and Parking
- (v) Compliance with Habitats Regulations

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. Policy CS5 also supports the principle of provision of tourist accommodation. Being within Emsworth and close to the shore, the location of the site is considered suitable for holiday purposes in principle and would contribute to the vitality of the town. This policy is essentially repeated as C2 in the emerging Local Plan which continues to support tourist accommodation in principle.

Since the site lies within a Conservation Area and affects a Listed Building, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the determination of this application requiring special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest, as well as the desirability of preserving or enhancing the character or appearance of a conservation area.

(ii) Impact upon Listed Building and Conservation Area and AONB

The impact of the proposal on the character and appearance of the Listed Building has been carefully assessed by the Councils Conservation Officer. The physical alterations of replacement windows, Juliette balcony and internal stud walls have all been approved under APP/19/00326 and APP/19/00327 and no further physical alterations are proposed as part of this application. The proposed tourist part of the site can be separated simply by shutting/locking the internal door from the hallway of the main house with an existing external door to the garden/parking area providing access. In terms of the use, the proposed change from annexe to tourist accommodation would continue a residential use of the rooms and it is not considered that this would result in any harm to the historical significance of the building.

In terms of preserving or enhancing the character of the Conservation Area it is considered that the change of use would not impact the visual appearance of the Conservation Area and therefore have a neutral impact. Overall the proposed change of use of the rear part of the site to provide tourist accommodation would have no harm to the Listed Building and would preserve the setting of the Conservation Area. The proposal is therefore considered to be acceptable, meeting the requirements of Policies CS11, CS12, CS16 and DM20 of the HBLP (Core Strategy).

(iii) Effect on neighbouring amenity

The proposed use would result in a slight increased intensity of use of the site. However the spacious setting and separation to nearest properties is such that this is unlikely to result in any additional noise and disturbance detrimental to neighbouring amenity. It is noted that no letters of objection have been received to the proposal. Consequently, it is considered that the proposal would have limited and acceptable impact on the properties immediately adjacent to the application site, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Highways and Parking

The site has sufficient space to accommodate several vehicles and a parking plan has been provided demonstrating that 2 car parking spaces for the annexe (on the assumption of up to 4 guests) can be provided at the same time as retaining 3 spaces for the main dwelling whilst not blocking the narrow side drive ie all vehicles could come and go. On this basis there is no highway objection to the proposal which is considered compliant with policies CS16 and DM13.

(v) Compliance with Habitats Regulations .

The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on Chichester and Langstone Harbours Special Protection Area from both recreational pressure and water quality issues as a result of the development.

This site falls within the 5.6km zone of Chichester and Langstone Harbours SPA which are large estuarine basins that contain extensive inter tidal mud flats and sand flats that support internationally and nationally important numbers of over wintering and breeding bird species. Natural England's advice in regard to all new housing development within this zone is that it is likely to have a significant effect on the SPA from increased recreational pressure. Policy DM24 of the Allocations Plan, covers this issue and allows for a financial contribution to be made towards mitigation measures with the Solent Recreation Mitigation Partnership Definitive Strategy being effective from 1st April 2018. The application results in new tourist accommodation which would likely result in additional persons using the foreshore/water and therefore increasing the recreational pressure on the SPA. Therefore it is considered that it is necessary to mitigate against this additional use and as such the appropriate sum of £346.00 and signed Deed has been received through the Solent Recreational Mitigation Strategy.

With respect to potential deterioration of the water environment the Appropriate Assessment had regard to the existing use as an annexe and the proposed use as a tourist accommodation. It is noted that the proposal would not result in an increase of population, on average, and as such would likely have no significant effect on the Chichester and Langstone Harbours SPA, Solent Maritime SAC or Solent and Dorset Coast pSPA due to

change in water quality. The Appropriate Assessment concluded that as there would not be an increase in population, there would be no decrease in water quality and the proposal would not have potential adverse effects on the integrity of the European site. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they do not raise concern with the proposed approach to the nitrogen budget set out in the AA - that the proposed use can be offset against the lawful use of the property.

Taken together, it can be concluded that the mitigation measures will ensure that the development causes no likely significant effect on the Chichester and Langstone Harbours Special Protection Area.

8 Conclusion

- 8.1 The proposed change of use is considered to have limited and acceptable impact on the neighbours, the Listed Building and Conservation Area, and the additional recreational pressure adequately mitigated against, and is considered to be an appropriate use and is therefore recommended for approval.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00375 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:

Heritage Statement dated April 2019
1:1250 Site Location Plan
Floor Plans with proposed Holiday Accommodation
Parking Plan Drawing Number 18168-04

Reason: - To ensure provision of a satisfactory development.

- 3 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.