Site Address:	11 King Street, Emsworth, PO10 7AX		
Proposal:	Loft conversion, replacement windows and doors including provision of Juliette balcony to southern elevation.		
Application No:	APP/19/00326	Expiry Date:	16/05/2019
Applicant:	Mr & Mrs Sylvester		
Agent:	Helyer Davies Architects Helyer Davies Architects Ltd	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. 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 serious 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

And other current applications on the site:

APP/19/00327 - Listed Building application for loft conversion, replacement windows

and doors including provision of Juliette balcony to southern elevation and alterations.

APP/19/00375 - Change of use of annex to holiday accommodation.

3 Proposal

Loft conversion, replacement windows and doors including provision of Juliette balcony to southern elevation.

The proposal includes a series of internal alterations and replacement windows/doors, including additional stairs enabling the conversion of the roof space within the existing 3 storey rear element to provide further accommodation, a study. During the course of determining this application amended plans have been received reducing the size of the proposed opening within the 3rd floor of the south elevation.

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
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)

Chichester Harbour AONB SPD, 2017

The Pre-Submission Havant Borough Local Plan 2036 was approved by the Council in January 2019 and currently has limited weight in decision making, but does indicate the direction of travel.

A material consideration is also The Emsworth Neighbourhood Plan which has reached an advanced stage of preparation and was submitted to the Local Planning Authority in April 2019. As such it can be afforded limited weight in decision making.

Listed Building Grade: Grade 2
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy - on original submission
Objection. Excessive glazing to harbour facing gable end
I made a site visit 17.4.19 and again on 7.5.18 to consider wider landscape impact. Having regard to the Policy framework* below, due to the internal nature of these

works within this part of Emsworth Conservation Area, the alterations to the harbour facing gable end to insert a large amount of glazing, would have a harmful in the wider AONB landscape, and to the character and appearance of the Emsworth Conservation Area.
This new glazing would relate poorly in proportion to the fenestration immediately beneath it and not really be mitigated by the eaves overhang. This gable is very prominent from the Mill Pond promenade and water. Advice in the Joint CHC SPD, Emsworth Design Statement and emerging Neighbourhood Plan, supports my contention and at the moment the proposals are considered to be contrary to Policies CS11, CS12 and CS16 of the Core Strategy and DM20 of the Site Allocations DPD.

Chichester Harbour Conservancy - on amended plan
No objection, subject to agreeing samples of facing and roofing materials and a condition to prevent the insertion of any further windows or carrying window enlargements without the further written permission of the local planning authority.

Reduction in the amount of glazing in the high gable facing south was much better and as such my earlier objection is now withdrawn and replaced with the adjusted recommendation above.

The Committee noted the alteration to the gable profile, but on the basis that it would overhang and thus shade the effect of new glazing, offered no objection to that roof alteration.

Conservation Officer - on original submission
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 a loft conversion, replacement windows and door including provision of Juliette balcony to the southern elevation.
More specifically, the proposal includes the following elements:
- Several window replacements and alterations
- Insertion of some new, wooden frame sash windows
- 2no. roof light windows in roof above loft conversion
- External doors to hallway and annexe replaced
- Internal alterations to layout – removal of one load bearing wall and replacement with glass wall.
- New large aluminium window in south elevation in converted part of loft
- Insertion of new staircase internally to access the converted loft space
Assessment of proposal
The majority of the proposed works are considered to positively contribute to the restoration of the building and would result in less than substantial harm to the significance of the building. For example,
the replacement of harmful plastic windows with wooden replacements.
With regards to the new elements, I am supportive of the new wooden sash windows at first floor level and feel that would result in less than substantial harm to the significance of the building.
With regards to the removal of the load bearing wall and its replacement with a glass wall, it is considered that this would add an interesting feature into the dwelling and still retain the separation of internal spaces as existing. This would result in less than substantial harm to the significance of the building.
With regards to the proposed window in the south elevation of the proposed loft conversion, it is considered that this would be harmful to the listed building. Within the pre-application response, it was advised that this window was overly large and did not relate to the existing and newly proposed wooden sash windows. As far as I can see, no changes have been made to this window other than the description that the frame would be aluminium. I therefore raise an objection to the size and design of this window and refer the applicant back to the pre-application response provided.
I therefore raise a holding objection subject to a revised windows design as highlighted above.

Conservation Officer - on amended plan
Further to the amended plans received on 16 May 2019, it is noted that the newly proposed window to serve the converted loft space in the rear elevation has now been amended in design.

The amended design is that of a pair of traditional sash windows which match with the style on the remainder of the dwelling and in particular, the rear elevation. I am of the view that this amended design would remove the potential harm to the character of the

listed building.

Taking into consideration the original response (dated 8/5/19) including the relevant planning policy and background, the holding objection is removed. I recommend the following conditions should be included if permission is granted:

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.

3. No work shall commence until manufacturers details of the proposed rooflights, including details of how they sit within the roof, have been submitted and approved in writing by the local planning authority. All work shall be carried out in accordance with such approval. **Reason:** To protect the character of the listed building.

Historic England
None received

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: 12/04/2019

Number of representations received: 1

Comment	Officer Comment
On Original plans:	
On viewing the proposed elevations changes we register no objection to most of the submitted proposal. We understand the addition of the Juliet Balcony, and we are also comfortable to support the proposed enlarging of the existing second floor window even though this will - to a modest extent -	

effect privacy by increasing views into our property. However, we strongly object to the proposed changes to the third floor with the addition of a new large aluminium window. This will dominate the adjoining gardens to the extent that there will be a serious effect on privacy caused by the proposed large window which overlooks neighbours to the south including our property.	Noted and agreed, amended plans requested

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 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. Since the site lies within a Conservation Area and affects a Listed Building, Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is 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

7.3 The impact of the proposals, included amended plan, on the character and appearance of the Listed Building has been carefully assessed by the Councils Conservation Officer. It is considered that generally the proposed works are considered to positively contribute to the restoration of the building and would result in less than substantial harm to the significance of the building. The proposed new stairs and glass wall would add an interesting feature in the dwelling and still retain the separation of internal spaces as existing, resulting in less than substantial harm to the significance of the building. The reduced opening at 3rd floor would now better balance with the fenestration below and a timber sash is proposed to match other windows. On this basis there is no objection to the amended plan which would not harm the character of the Listed Building.

7.4 In terms of preserving or enhancing the character of the Conservation Area it is noteworthy that the front facade to King Street would remain unaltered and there would be no changes to the profile of the building. The additional windows and change to some openings would preserve the character of this residential dwelling in the Conservation Area. There had been concerns of the extent of glazing at 3rd floor on the long distance views from the AONB, but the amended plans have overcome this issue. The design and

appearance of the proposed alterations are therefore deemed appropriate in context to the main building, having less than substantial 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). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

7.5 Representations have been made to the insertion of the 3rd floor window with concern about potential overlooking and loss of privacy. It is acknowledged that there are no other examples of windows at this level ie 3rd floor, in the immediate vicinity and the introduction of the originally proposed large gable end glazing would have appeared intrusive and led to the perception of overlooking. The amended plans have however reduced the scale of this window which would now be less intrusive and dominant. The separation distances to No 9 is some 60m; to No 3 Swan close is some 55m and to the front of No 1 Swan Close is about 30m and 35m to the garden. Given these distances are in excess of the Borough Design Guide then the actual harm from any overlooking is unlikely to be material that could be resisted.

7.6 Consequently, it is considered that the proposal will not appear intrusive or lead to any material overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

8 Conclusion

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

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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00326

(A) 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:

Location & Block Plan; Existing Floor Plans Drawing Number 18168-01
Proposed Floor Plans Drawing Number 18168-02 Rev A
Proposed Elevations Drawing Number 18168-03 Rev A
Design & Access Statement by hd architects dated March 2019
Reason: - To ensure provision of a satisfactory development.