
Site Address:	24 Sultan Road, Emsworth, PO10 7PP		
Proposal:	First floor extension and conversion of house into 2No.1bed flats with associated access. Render to all elevations.		
Application No:	APP/19/00041	Expiry Date:	15/03/2019
Applicant:	Mr Powell		
Agent:	Mr Airey	Case Officer:	Bee Crawford
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is an older style two storey end of terraced property situated towards the end of Sultan Road. It has a slate tiled pitched and hipped roof and elevations of red multibrick. The site is level and the frontage is adjacent to the pavement. The rear garden is accessed via a side gate and is paved with two sheds and is enclosed to all boundaries with fencing ranging in height from 1.5 metres to 1.8 metres and mature shrubs.
- 1.2 The adjoining two storey terraced property is to the west, the front aspect and side garden of a two storey semi-detached property is to the east, modern two storey terraced properties Malvern Mews are opposite and a railway line is to the north. The area is of medium density with a mix of older style and modern two storey terraced and semi-detached properties of a similar and different age, style and design.

2 Planning History

None relevant to this application.

3 Proposal

- 3.1 The proposal is for the construction of a first floor side extension and conversion of house into 2 No.1bed flats with associated access. Render to all elevations.

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)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

Location of solid waste storage for new flat not shown

Compliance with Approved Document B needs to be clarified

Building Regulation application will be required for this work

Community Infrastructure, Planning Policy & Urban Design

We can advise that the information supplied on the 'CIL Additional Information Form would lead us to conclude that this development is not CIL Liable.

Instructions should be passed by the Case Officer to the CI Team to issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, now based on the number of net additional dwellings and their respective number of bedrooms. in this case 1 dwelling with 1 bedroom. See

<http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>.

Crime Prevention -Minor Apps

No response received.

Highways Engineer, Development Engineer

The Highway Authority has no adverse comment on the application but the lack of parking for the new units may cause amenity problems.

Natural England Government Team

No objection .

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

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. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Please note in future cases where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic

approach for the mitigation of impacts on European Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the European Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation.

Other Advice

Landscape advice

The proposed development is for a site within or close to a nationally designated landscape namely Chichester Harbour AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Officer comment: Whilst the above remarks are noted, the application site is approximately 360 metres away from the boundary of the AONB and the external works are considered to be of a minor nature.

Further consultation response from Natural England dated 21 May regarding water quality:

Thank you for consulting Natural England on the above Habitats Regulations Assessment.

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.

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. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Public Spaces

No response received.

Waste Services Manager

No concerns over waste collection regarding this planning application.

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: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
I wish to draw your attention to the following: 1 - noise - I could have a sitting room next to my bedroom. Being elderly do I want that? 2 - There are several defects noted on the full survey in March 27 which has not been carried out. 3 - I require access to put my bins out will that change? 4 - My neighbour and I have parking problems already. I know this isn't a consideration but it is serious. Being fined, unable to go to see friends or in the country. 5 - You are setting a precedent - more flats, more cars! Devaluation of our houses.	The use of internal rooms is not a planning consideration. Noted. The application is wholly within the curtilage of 24 Sultan Road and should not affect this. See Section 7. See Section 7. This is not a planning consideration.
As well as the obvious disruption this building work will cause, yet again I must object in the strongest possible terms to this development. There are no other houses down this road that are flat conversions ; the road is already overcrowded with cars all day	See Section 7.

everyday with people using Sultan Road as a free car park for the station. The residents of this road have had to put up with months of disruption due to the building work at the Railway Inn which caused endless misery; I have already enlisted the help of local councillors to look into residents parking as the road can barely sustain the existing residents cars. If this goes ahead what is to stop all the other houses becoming 2 flats each; no one will be able to park, enough is enough. I respectfully ask that this planning permission is denied.	This matter is the subject of a separate planning permission. See Section 7.
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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 the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Parking
- (v) Planning obligations/Ecology

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the character and appearance of the area

7.3 The works proposed would be a ground floor/first floor division of the property with the entrance to the ground floor flat on the eastern elevation and the entrance to the first floor flat on the northern elevation via an external staircase. In addition, a first floor extension is proposed to the eastern elevation of the property, together with fenestration alterations. The development would be partially visible from the public realm, although it is considered it would not significantly alter the visual appearance of the dwellinghouse.

7.4 The first floor side infill extension is of a moderate size and would regularise the eastern elevation of the property. The original plans submitted proposed a flat roof, but following officer concerns, amended plans were received for the provision of a modest pitched and hipped roof over the extension which is considered to be acceptable and all the elevations are proposed to be rendered.

7.5 The submitted design and access statement advises that the rear garden, which has a depth of 12 metres and a width of 5.8 metres is to be maintained in an open plan format to include the required cycle provision and shared by the two properties. This accords with the requirements set out under CS16 of the HBLP and also Policy H1 of the pre-submission Havant Borough Local Plan.

7.6 The design and appearance of the proposal is 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). It is considered that the scheme would not result in an

adverse impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

- 7.7 The first floor side extension will not project beyond the existing rear or easternmost elevations of the property, retaining the 1.3 metre distance to the eastern boundary. Due to the situation of the neighbouring property at number 26 it is considered the new extension would not have a harmful effect on the occupiers of this property.
- 7.8 There is an alteration to reduce the width of one of the existing windows in the eastern elevation at first floor although it is considered any resulting impact would be negligible. There are no new windows in the side elevation of the first floor extension and whilst there is a new window and access door in the rear elevation, it is considered this would not result in any additional overlooking or loss of privacy to the neighbouring properties.
- 7.9 Regarding the new external staircase, in order to reduce any perception of loss of privacy or additional overlooking to the neighbouring properties, a condition is recommended to provide 1.8 metre high screening on the external landing area.
- 7.10 Concerns were raised with respect to setting a precedent of converting houses to flats in the vicinity. Planning applications are determined on their own merit and it is considered the proposal is acceptable in this case. Furthermore, an application for a similar development was allowed on appeal at number 16 Sultan Road.

(iv) Parking

- 7.11 There is no on site parking at the property and there will be no increase in the number of bedrooms albeit the development is for two 1 bedroom flats. Subsequently there will be a requirement for two on site parking spaces as recommended in the HBC Parking SPD (July 2016). Although provision for the storage of cycles has been specified, there is no vehicular access to the property and consequently no on site parking has been provided.
- 7.12 The existing property has no on site car parking spaces and therefore a deficit of two car parking space currently exists. As such a detailed parking survey of the existing parking provision and situation was undertaken and submitted to support the application. Sultan Road is not covered by a residents parking permit system, unlike Seagull Lane or Palmers Road, nor does it have time restrictions like North Street and therefore has a higher demand for parking from residents and train station users.
- 7.13 Objections have been received regarding the absence of parking for the scheme. The Havant Borough Residential Parking and Cycle Provision SPD identifies areas around Emsworth Railway Station to be a highly accessible location where reduced or even zero standards of vehicle parking provision can be considered in order to maximise the use of land and discourage use of the private motor vehicle. Furthermore, paragraph 3.06 of the Standards recognises that on brownfield sites outside of town centres, it may be possible to reduce the number of car parking spaces where the development is within a reasonable distance of good public transport links. It is therefore considered that given the highly sustainable location of the development that this proposal, with zero parking, is considered to be consistent with the aims of the SPD.
- 7.14 It is therefore deemed that this evidence is appropriate in justifying the absence of on site parking. If the application were to be refused, it would be difficult to uphold the lack of on site parking as a stand alone reason for refusal, should the applicant subsequently lodge an appeal.
- 7.15 Consequently, it is considered that given the existing deficit of parking on the site,

combined with the sustainable location of the site, that in this situation the provision of zero car parking is considered acceptable and the development would not have a significant adverse impact on the highway network. It is also noted no objection was raised by the Highways Engineer.

(v) Planning Obligations/Ecology .

- 7.16 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. This is included in the case file. There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. However the proposed development would not result in a net increase in population. As a result, the screening under Regulation 63(1)(a) of this issue concludes that appropriate assessment for the impact of water quality is not necessary. However 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 due to the increase in recreation as a result of the development as there is a net increase in households.
- 7.17 The planning application was then subject to an Appropriate Assessment under Regulation 63. This assessment included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy and the applicant has indicated a willingness to enter into a legal agreement to secure the mitigation package. The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation package.
- 7.18 The conversion of the original dwellinghouse into two flats would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Therefore a financial contribution towards the Solent Disturbance Mitigation Project, in accordance with Policy DM24 of the Allocations Plan is required. This is now based on the number of net additional dwellings and their respective number of bedrooms, in this case 1 dwelling with 1 bedroom. For the proposed new dwelling, plus administration and monitoring fee, the appropriate payment of £373.85 has been paid and the relevant documentation has been completed and returned by the applicant.
- 7.19 The Community Infrastructure team have advised that the information supplied on the CIL Additional Information Form would conclude that this development is not CIL Liable in this instance.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and character of the area 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/19/00041 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 external materials used shall be as indicated on the submitted forms and hereby approved plans, or 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.
- 3 The access staircase serving the first floor flat shall not be brought into use until screens on the western and northern sides of the landing with a minimum height of 1.8 metres from the level of the landing have been installed and shall remain in situ thereafter. Such screens must be obscurely glazed with an obscuration level no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.
Reason: To safeguard the privacy of the occupiers of the neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg no PL01 Rev A Location plan, block plan, existing and proposed floor and elevations plan
Parking survey from 14/03/19 to 21/03/19
Design and access statement

Reason: - To ensure provision of a satisfactory development.