

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))
- CS15 (Flood and Coastal Erosion)
- CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

- AL1 (Presumption in Favour of Sustainable Development)
- AL3 (Town, District and Local Centres)

Listed Building Grade: Not applicable.
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

Recommendation - No objection.

A site visit was made again on 21.12.2018. I note the following changes to the (APP/17/01111) design solution from the proposals being re-submitted and advised to the Conservancy 20.11.18:-

- . Window under external stairwell on rear elevation made into full length French doors;
- . External flue now proposed to west elevation instead of new chimney stack at rear;
- . Window to apex of west elevation now deleted;
- . External balconies to 2nd floor full height windows deleted.

The Conservancy has no objection to those alterations. The additional glazing to the rear will not be seen from the water.

Having regard to the Policy framework* below, this is one of a group of well designed group of mews dwellings within the Conservation Area. The property has been adjusted in the past.

The addition of a metal flue stack is somewhat atypical, albeit there are some such stacks in the vicinity. It would not have any adverse landscape impact to the AONB and will only really be seen by a narrow gap in the South Street frontage, or within the mews courtyard itself.

Conservation Officer

Principal Conservation Officer - No Objection

The proposed flue is to be located to the western side elevation. Due to its position and other intervening built form there will be very limited views of the construction from public vistas within the conservation area. As such the flue would not cause harm to the character and appearance of the conservation area.

Environmental Health Manager

I have read the enclosed documentation, including plans, provided by the applicant and can advise that it is noted that a flue is now included in the application linked to a

wood burning or multi-fuel appliance. Based on the current proposed positioning and height of the flue, there is potential for smoke nuisance and recurrence of same, to neighbouring properties.

I would therefore ask that the following informative be added to any positive decision notice, should the Planning authority be minded to approve this application:

Informative regarding wood burning or multi-fuel stoves / appliances:

You are hereby advised that whilst no smoke free zones currently exist within the Havant Borough, that this does not relieve operators / owners of wood burning or multi-fuel stoves / appliances, of the responsibility of ensuring that they do not cause smoke nuisance to other residents within their neighbourhood. Smoke includes soot, ash, grit and gritty particles emitted in smoke, and also the smell of smoke. If you should wish to ascertain what your position would be in relation to existing legislation such as the Environmental Protection Act 1990, it is recommended you contact the Environmental Health Pollution team at Havant Borough Council.

Officer Comment: This shall be included as part of the decision.

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: 36

Number of site notices: 1

Statutory advertisement: 23/11/2018

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 and impact on the character of the area
- (iii) Impact on the conservation area and AONB
- (iv) Effect on neighbouring properties
- (v) Parking

(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.

7.3 In this case the site is also located within the Emsworth Conservation Area. The proposal must therefore be assessed against the relevant parts of the Planning (Listed buildings and Conservation Areas) Act 1990 and this assessment is made below.

7.4 Planning policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 states that planning permission will be granted for development that '*Responds to, draws*

inspiration from and respects local context and, produces a positive relationship between buildings, street and spaces both existing and proposed, contributes to the improvement of the public realm, , is inclusive by considering the needs of those with disabilities, mitigates negative environmental impacts through sustainable design and adapts to the changes needs of the users and the changing climate over the lifespan of the building.'

- 7.5 This approach is consistent with the Havant Borough Local Plan Allocations policy AL1 seeking Sustainable Development and AL3 for development in the Town, District and Local Centre. In the case of this planning application seeking to develop an existing dwellinghouse it is considered that the proposals are acceptable in principle providing that the development can be considered to protect and enhance the features of the Emsworth Conservation Area and not significantly adversely impact the nearby residents.

(ii) Appropriateness of design and impact on the character of the area

- 7.6 The works involve alterations to the fenestration in the rear elevation and the movement of a chimney from the south rear elevation and replacement of a flue to the west side elevation.
- 7.7 Visually the impact caused by this from Orange Row shall be minimal as the majority of the development shall be screened by No 5 and the neighbouring dwellings. The proposed flue is narrow in style and would be constructed of a metal material which is considered to fit into the appearance of other flues within the locality and not look significantly out of place.
- 7.8 The proposed windows would be larger in size on the ground floor and matching in appearance to those on No 5 as existing. This is considered to not cause a significant adverse visual impact to No 5 and with the windows appearing proportionate to the space available the works are considered to be acceptable.
- 7.9 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). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact on the conservation area and AONB

- 7.10 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act") required local planning authorities to pay special attention to the desirability or preserving or enhancing the character or appearance of that area.
- 7.11 In this case the external works form part of the building which is positioned within the mews of Orange Row and is only partly viewable from South Street, Emsworth. The Council's Conservation Officer has been consulted in relation to the proposal and has raised no objection stating that '*Due to its position and other intervening built form there will be very limited views of the construction from public vistas within the conservation area.*' Therefore the works are considered to result in a limited and acceptable impact to the Conservation Area preserving the character and appearance of the area.
- 7.12 Chichester Harbour Conservancy have been consulted in relation to the proposal and have raised no objection to the proposed development. They have confirmed that the

development would not have any adverse landscape impact to the AONB and will only be seen by a narrow gap in the south street frontage.

(iv) Effect on neighbouring properties

- 7.13 The works have the potential to impact the attached neighbour No 6 Orange Row in regards to possible smoke and smell pollution and therefore the Councils Environmental Health Team have been consulted with in regards to the proposal. No objection has been raised by the consultee but an informative has been suggested to be included with the decision that makes the applicant aware of their duty to ensure that any log burner/flue should not cause a nuisance to neighbouring dwellings in relation to smell and smoke pollution. This shall be included with the decision and is considered to satisfactorily address this matter.
- 7.14 It is acknowledged that the windows in the rear elevation of No 5 already cause a degree of over-looking as a result of their orientation and size. Due to the modest increase in size proposed it is considered that the proposed alterations would not cause a significant enough additional impact that would warrant a refusal of the planning permission. Furthermore the windows would create a direct view to the south of the dwellinghouse which would not be onto a neighbouring dwelling directly opposite but would be to the waterfront in Emsworth, reducing the impact further to an acceptable level. It is further noted that were the windows to match the materials to those existing that the alterations would be able to be carried out without formal planning permission.
- 7.15 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.

(v) Parking

- 7.16 Under the APP/17/01111 permission was granted for an integral garage to be accommodated to the west side of the dwellinghouse. Under the current proposal this is proposed to be removed leaving the two parking spaces to the front of the proposal. The existing dwellinghouse did not have an integral garage originally and relied on the two parking spaces to the front of the dwellinghouse for the three bedroom home. Although permission has been granted for the garage the loss of this parking provision, alongside No 5 being retained as a three bedroom dwelling is considered to not require additional parking to be accommodated onsite. The proposal is therefore considered to accord with the Boroughs Parking SPD and is acceptable.

8 Conclusion

- 8.1 In conclusion, the principle of development is considered to be acceptable with the impact on neighbours and future occupants residential amenities considered to be limited and acceptable.
- 8.2 The impact of the external changes on the Conservation Area, AONB and No 5 have been considered carefully and sensitively. Due to the relatively modest changes now proposed it is considered that the works would preserve the Conservation Area and would have an acceptable impact which complies with policies CS16, CS11 and CS12 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8.3 The proposed changes are therefore considered to result in a limited impact and are considered to be acceptable.
-

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/01185 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:

Planning Statement: Received 14.11.2018
Proposed Block and Location Plan: Drawing No C9/0109/OOC
Proposed Floor Plan: Drawing No C9/0109/O5E
Proposed Elevation Plan: Drawing No C9/0109/04F

Reason: - To ensure provision of a satisfactory development.
- 3 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.