
Site Address: Hearnbrook, 39 Havant Road, Emsworth, PO10 7JD
Proposal: Change of use of existing garage to 1No. 2bed holiday let or annexe accommodation including alterations/additions and flue. (Revised application).
Application No: APP/17/01341 Expiry Date: 12/02/2018
Applicant: Mr & Mrs O'Hea
Agent: Mr Clements Case Officer: Emma Chisnall
Downland Design Ltd
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 No 39 Havant Road is a grade II listed dwelling with outbuildings set towards the rear of the site. It is these buildings (former coach house/garage) which are the subject of this application. The coach house is a pre 1948 structure and it is therefore classed as a curtilage listed building and is constructed of stone with brick quoin detailing and a slate roof. It is not located within the conservation area.
- 1.2 The coach house is positioned in a L shape to the rear east side of the curtilage and forms the shared boundary between No 39 and No 33. To the front the amenity space is modest in size and is hard-surfaced with a mixture of concrete and gravel which could accommodate two cars sufficiently. To the west the curtilage is marked by high level hedging in the majority but to the north of the site this drops away giving an open appearance of the coach house to No 39. To the rear of the coach house there is a modest amount of amenity space laid as lawn which contains mature trees with a curtilage boundary constructed of 2m timber fencing.

2 Planning History

99/64218/000 - External alterations to include; (i) replacement door and window and replacement of obscure glazing with clear class in first floor window to east elevation; (ii) Alteration to lean to roof on single storey hall to incorporate a lantern light; (iii) removal of drying room and insertion of new window and replacement of door with a window to north elevation. Internal alterations to include; (i) New door to drawing room and removal of existing opening; (ii) New opening between proposed kitchen and family room (, PERM,20/12/1999
APP/17/00582 - Listed Building Consent for change of use of existing garage to 1No. 2 bed holiday let or annexe accommodation including alterations/additions and flue., PERM,23/10/2017
APP/17/00581 - Change of use of existing garage to 1No. 2bed holiday let or annexe accommodation including alterations/additions and flue., PERM,23/10/2017
APP/17/01342 - Listed Building Consent for change of use of existing garage to 1No. 2bed holiday let or annexe accommodation including alterations/additions and flue. (Revised application)., DEL,

3 Proposal

- 3.1 Change of use of existing garage to 1No. 2bed holiday let or annexe accommodation including alterations/additions and flue. (Revised application).

- 3.2 This is a revised proposal that proposes internal alterations only to the ground floor layout including the repositioning of a bedroom, kitchen, utility and shower room.

4 Policy Considerations

National Planning Policy Framework 2012

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)
CS4	()
CS5	(Tourism)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

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)
AL3	(Town, District and Local Centres)

Listed Building Grade: Grade 2

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

As this revised application is in relation to the internal layout, our previous Arboricultural Comments on APP/17/00581 still apply and should be conditioned to this new application.

Crime Prevention -Minor Apps

No adverse comment

Environmental Health Manager, Community Group

I refer to the above application under the Town & Country Planning Acts passed to this Service for comment.

I have perused the enclosed plans / documentation provided by the applicant, in conjunction with our discussions in regard to this application. It has been ascertained that the proposed new flue is to serve a new wood / log burner installation, in the proposed rear double storey conversion. Based on the current proposed positioning and height of the flue, there is potential for smoke nuisance and recurrence of same, to neighbouring properties.

If consent is to be granted on this application, I would ask that the following

informatives be added to any positive Decision notice.

Informative regarding Hours of Work:

You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8.00 – 13.00.

This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

Informative regarding Bonfires:

You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.

This is in order to protect the occupants of nearby residential properties from smoke pollution.

Informative regarding Dust Control:

You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site.

This is in order to protect the occupants of nearby residential properties from dust pollution.

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, this does not relieve operators / owners of wood burning or multi-fuel stoves / appliances, from ensuring that they do not cause nuisance to other residents within their neighbourhood. If you are unsure as to what your position would be in relation to existing legislation such as the Environmental Protection Act 1990 or the Clean Air Act 1993, it is recommended you contact the Environmental Health Pollution team, at Havant Borough Council.

This is in order to protect the occupants of nearby residential properties from smoke pollution, and also yourself from potentially breaching current legislation.

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

Public Spaces

No adverse comment

Traffic Management Team

No adverse comment

Waste Services Manager

If letting out as holiday let will have to pay for any waste collected regarding this planning application thank you.

Drainage:

No drainage observations. Surface water correctly sent to surface water sewer rather than combined sewer.

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: 7

Number of site notices: 1

Statutory advertisement: 02/02/2018

Number of representations received: 1

Comment	Officer Comment
Comments raised by No 10 Convent Lane regarding: * I welcome that there are no windows at first floor apart from the rooflight in the bedroom. * Would request that permission restricts any further openings on the north wall. *large silver birch may affect the building and would need to be cut back but carefully managed. * New rooflight to bathroom could overlook my garden and house but I do not see that I can object. * Uneasy that additional windows may be required in the future as space for a garden will be minimal and the silver birch and maple tree may cut out light during summer months.	See section 7.

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) Trees
- (v) Pollution
- (iv) Listed Building
- (iv) Planning Obligations

(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. As the building is listed the Local Planning Authority has a duty to preserve or enhance the building.

7.3 Policy CS5 encourages the provision of sustainable and small scale recreational opportunities for tourists and day visitors. The works proposed to the former coach house/garage to be converted into a holiday let or annex are supported by this policy in order to improve the quality of the tourist offer in the borough and therefore the principle of the development is considered to be acceptable, subject to material planning considerations.

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

7.4 Following the previously permitted scheme the changes proposed to the development are internal only and involve the movement of the bedroom to the south part of the coach house/ garage and the kitchen to the north. This shall not alter the external appearance of the previously approved coach house/ garage and as such, no objection is made to the revised proposal in regards to its impact on the character and appearance of the area. However, an assessment has been carried out below.

7.5 The former coach house/garage within the curtilage of No 39 Havant Road is a modestly sized two storey building which has a long single storey projection to the front that runs along the east boundary of the application site. The works proposed to the development include the installation of a large window to the west elevation at first floor, rooflights to the east and west roof elevation of the single storey development, revised fenestration at ground floor level, a rooflight to the north elevation and the addition of rooflights to the south/front elevation. The works also include the development of a timber frame over new bio fold doors that shall replace the existing garage door. A flue is proposed within the north roof elevation. Although the changes shall alter the external appearance of the building they would not result in a significant structural alteration and therefore shall retain the existing appearance of the former coach house whilst providing an attractive uplift to the building. Therefore on balance the proposed alterations are considered to be acceptable changes that do not result in a significant adverse impact to the character and appearance of the garage and area.

7.5 The former coach house/garage is in position to rear/north of the curtilage site and is therefore set sufficiently away from the highway reducing its prominence on the streetscene. Due to the significant screening in place from the mature trees in place within the curtilage it is considered that the visual impact of the development is reduced to an acceptable level.

7.6 Materials are proposed to match that of the existing former coach house/garage which would ensure that the development appears in keeping to the existing building. This shall be included as a condition as part of the decision.

7.7 It is considered that the works appear in keeping to the locality and No 39 Havant Road, meeting with the requirements of policies CS11 and CS16 of the HBLP (Core Strategy).

(iii) Impact upon residential amenity

7.8 Following the previously permitted scheme the changes proposed to the development are internal only and involve the movement of the bedroom to the south part of the coach house/ garage and the kitchen to the north. This shall not alter the external appearance of the previously approved coach house/ garage and as such no additional impact is created as a result on neighbouring dwellings amenity. However, the assessment of the development is considered below with the potential impacts

caused to neighbouring dwellings No 39 and No 10 Convent lane.

7.9 The works have the potential to impact No 39 itself and the dwellinghouse to the north of the curtilage No 10 Convent Lane. Concern has been raised by the neighbouring dwelling to the north, No 10, that the rooflight proposed for the bathroom to the north elevation could cause over-looking and that the addition of any new windows along the northern elevation could cause an adverse impact. Following a site visit the impact of the rooflight was assessed and it was considered that although there was the potential for an impact to be caused it was acknowledged that the rooflight would be in a position within the roofslope that is angled away from No 10 however as the rooflight is not high level and could be looked out from, it shall be conditioned to be fitted with obscure glass to reduce the impact caused. This is considered to address the concern sufficiently. The proposed ground floor windows are considered to be sufficiently screened by the 2m timber fencing in place between the curtilages. However, in order to reduce the potential impact caused by further windows being installed without planning permission and assessment, a condition shall be included with the decision removing permitted development rights which would ensure that planning permission would need to be sought to install any additional windows on this elevation as well as the rest of the proposed holiday let/annex. This is considered to address this concern sufficiently.

7.10 The works are considered to have the potential to impact No 39 Havant Road as a result of the development. A large window is proposed to the first floor west elevation and rooflights to the south elevation which would look onto rear amenity space of No 39 and potentially cause over-looking. These impacts the applicants property most directly. Following a site visit it was assessed that the west elevation window would over-look a small amount of amenity space only which is part of a larger, more established part of amenity space directly to the rear of No 39. Therefore on balance the impact caused is considered to not be harmful enough to warrant a refusal of planning permission. The rooflights proposed to the ground single storey development facing No 39 shall be in the roofspace and at a high enough level to maintain and protect privacy levels. The revised fenestration at ground floor level is considered to not create a significant additional impact to the windows already in place and the new bio fold doors at ground floor level alongside the rooflights on the south elevation would create a view to the south only which is sufficiently screened from the rear elevation of No 39 from the existing mature vegetation in place between the two developments. Therefore the overall impact is considered to be limited and acceptable and would not warrant a refusal of the planning permission.

7.11 The new window proposed to the first floor west elevation has the potential to cause over-looking to No 4 Convent Lane however following a site visit it was acknowledged that the neighbouring dwellinghouse is positioned sufficiently away from the proposed holiday let/annex and due to the angle of the window alongside the screening in place it is considered that on balance that the works result in a limited and acceptable impact.

7.12 The proposed holiday let/annex forms part of the shared boundary with No 33 Havant Road and two rooflights are proposed within the eastern side roofspace. These shall be at a high level from the single storey development which would ensure privacy levels are maintained between dwellings. The rear amenity space behind the proposed holiday let/annex stretches the width of the application sites and behind No 33. Following a site visit it was acknowledged that two rear windows at first floor level on No 33 serve a stairway and dressing room and as such, would not over-look or be significantly impacted by the use of the amenity space to the rear of the building. There is also sufficient screening in the form of 2m timber fencing between No 39 and

No 33 and as such the use of this space as amenity space is not considered to result in a significant adverse impact to the amenity levels of No 33 Havant Road. It is noted that no objection was made in regards to the scheme.

(iv) Trees

7.13 No 39 Havant Road and the building to be converted is positioned within a curtilage containing a variety of mature trees. The Arboricultural Officer has been consulted and although no objections have been raised in regards to the proposal and the supporting information alongside it, conditions have been suggested to be included with the decision. This includes a condition in relation to mitigation planting for the loss of the Austrian Pine. A condition shall also be included to ensure that the methodology and supporting information listed within the Arboricultural Method Statement and Tree Protection Plan is adhered to in order to ensure the retained trees survive the development and continue to grow. A service plan to show the service runs of the site has been requested to be submitted prior to development work commencing to the LPA for approval which shall be included with the decision as a condition.

7.14 Concern has been raised by the neighbouring dwelling to the north No 10 that work may need to be done to the Silver Birch tree in order to permit the works to be carried out. The information submitted alongside the application has been reviewed by the Arboricultural Officer and is considered to be acceptable subject to the above conditions being carried out as part of the decision. This is considered to address this concern sufficiently.

(v) Pollution

7.15 The works proposed to the former coach house/garage include the installation of a flue within the west roofslope and as such Environmental Health have been consulted. No objections have been made in regards to the scheme however informative's have been suggested to be included that shall be included with the decision. Following concern being raised in relation to the height of the flue, plans have been amended that position the flue higher in the roofslope which has met with no objection by the Environmental Health and Conservation Officer and is considered to address the previous concern regarding smoke dispersion.

(iv) Listed Building

7.16 The former coach house and garage is within the curtilage of a listed building (No 39) and is therefore listed itself by association. As such the Conservation Officer has been consulted and a Listed Building Application submitted alongside this application under APP/17/01342. The majority of the comments addressed by the officer shall be referred to in the Listed Buildings Application however no objection has been made in regards to the proposal pending that the materials match to the existing, that any brickwork alterations to the development are performed in a particular way using a particular lime mortar and that additional information is submitted regarding the rooflights. These aspects of the development shall be conditioned under APP/17/01342 to ensure that the proposed development works to protect and enhance the character of the listed building and not cause an adverse impact.

(iv) Planning Obligations

- 7.17 The change of use of the original former coach house/ garage into a 2 bedroom holiday let and annexe would create a holiday let within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Therefore an additional financial contribution towards the Solent Disturbance Mitigation Project, in accordance with Policy DM24 of the Allocations Plan is required. This is set at £181 per dwelling to the Solent Disturbance Mitigation Project. For the proposed holiday let, plus admin and monitoring fee, the appropriate payment of £210 has been paid and the relevant deed has been completed by the applicant.
- 7.18 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20th February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £100 per square metre on new floorspace plus indexing for Emsworth. The development is CIL liable however it is considered that due to the reduction in existing floor space a charge is not applicable and shall not be applied to this application.

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.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/01341 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:

Window Opening Detail Plan: Drawing No 1721.A.01.10
Door Opening Detail Plan: Drawing No 1721.A.02.11
Arch Window Section Detail Plan: Drawing No A.01.12
Sash Window Detail Plan: Drawing No A.02.8
Casement Window Detail Plan: Drawing No A.02.9
Proposed Elevations Plan: Drawing No 1721.A.03.1
Proposed Ground Floor Plan: Drawing No A.02.2
Proposed Ground Floor Plan: Received 18.12.2017

Proposed First Floor Plan: Drawing No 1721.A.02.3
Proposed Roof Plan: Drawing No A.02.4
Proposed Site and Location Plan: Drawing No 1721.A.01.8
Parking Layout Plan: Drawing No 1721.A.02.6
Tree Landscape Plan: Drawing No 1721.A.02.7
Construction Drainage Layout Drawing No. A.05.11
Tree Planting Specification Document dated 29/09/2017 supplied by
Christopher Hoare Tree Services Ltd
Email from S. O'Hea in relation to replacement tree planting dated 25/09/2017
Design and Access Statement: Received 19.12.201

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used 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.
- 4 The development must be undertaken in accordance with the tree plan drawing No 1721.A.02.7 dated 25/09/2017 and the Tree Planting Specification dated 21/09/2017 supplied by Christopher Hoare Tree Services Ltd.
Reason: To secure the conservation and enhancement of existing natural features and having due regard to Policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011.
- 5 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, or alteration permitted by Part 1, Classes A, B and C of the General Permitted Development Order, as amended, shall be made to the building to be converted without the prior written approval of the Local Planning Authority.
Reason: In the interests of the amenities of neighbouring residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 The development hereby permitted shall be used for holiday accommodation or for purposes of ancillary annexe accommodation to the main dwellinghouse only and for no other purpose including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005.
Reason: The use of the buildings as a separate dwellinghouse would be contrary to the policies of the Local Planning Authority regarding residential development having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 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.

- 8 Within 3 months of the date of this permission a tree of a species identified in the email from S. O'Hea dated 25th September 2017 shall be planted in a position as shown on drawing 1721.A.02.7 unless otherwise agreed in writing by the Local Planning Authority. If the replacement tree planted as part of the approved scheme dies or is otherwise removed within the first 5 years shall be replanted with another of the same species and size in the same position during the first available planting season.
Reason: The proposed development results in the removal of a significant tree. Additional compensatory tree planting is therefore appropriate in the interest of the character and appearance of the area having due regards to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework
- 9 Notwithstanding the submitted plans the development hereby permitted shall not commence unless and until a plan to show the routing of any additional underground services in relation to trees together with an Arboricultural Method Statement if the trees Root Protection Areas are impacted by underground services, have been submitted to and approved in writing by the Local Planning Authority. The routing of underground services shall be carried out in accordance with the approved details.
Reason: To ensure the retention of trees in the interests of the character and appearance of the area having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 10 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the rooflight window in the roof on the rear northern elevation facing No 10 Convent Lane shall be fitted with, to a height of no less than 1.7m above finished floor level, textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.