

Recommendation: **GRANT PERMISSION**

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
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CS16	(High Quality Design)
CS4	()
DM10	(Pollution)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
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, subject to use of the specified external building materials.

I apologise for the delay in getting these comments to you, owing to staff shortages. Following a site visit made 22.5.18 and having regard to the Policy framework* below, this property is clearly visible from the adjoining public car park.

The proposed extension is largely under construction, following an earlier approval noted under APP/17/00152. The changes in design solution I can make out include –

- A new annotation saying all UPVc windows/doors to be replaced with powder-coated aluminium frameworks RAL 7016 (Anthracite grey);
- Full floor to ceiling concertina garden doors reduced in terms of glazing.

The Conservancy considers it unfortunate that the 17/00152 approval has established an increased amount of glazing at second floor level facing the car park, which only serves to draw more attention to this jarring roofscape, especially in the Emsworth Conservation Area in this part of the AONB. However, that has previously been approved so I do feel any more can be said for that, other than the extent of glazing of the neighbour to the east might have been copied to at least retain some symmetry to this pair of dwellings at roof level.

The replacement of UPVc windows in a darker aluminium is welcomed though

Conservation Officer

Principal Conservation Officer. No Objection

6 Nile Street is a relatively modern dwelling that is located within the Emsworth Conservation Area.

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 existing single storey extension is to be slightly widened as part of the proposals. It will also incorporate 2 rooflights and a sedum roof. The windows/doors to the extension are also to be altered along with windows to the first and second floors.

The proposed minor extension would not have any adverse impact on the character of the conservation area. Its design appears to be an enhancement on the existing arrangement and the size ensures that the extension is not overly dominant.

The alterations to the windows will be particularly visible from south street car park. However, the existing arrangement is modern and not typical in the conservation area. The proposed design will appear contemporary but I believe this is to the benefit of the host dwelling and as such I have no objections.

Conditions:

- 1) Sample materials

Environmental Health Manager

If consent is to be granted I would ask that the following informatives regarding hours of work, dust, bonfires and lof burning stoves is added to any positive decision notice.

Planning Officer Comment: These shall be included as an informative with the decision.

Environmental Health Manager

The application site has a history of development leading the ground at the site to become contaminated. Although the risk sensitivity of the property shall remain essentially unchanged this shall be in an area of the site where contamination risk is arguably greatest. It is recommended that potentially contaminated soils (i.e those containing suspected asbestos cement sheeting or insulating panels, black stains, odors or ashy soils) be tested and appropriately dealt with if found to constitute an unacceptable risk in the context of the site. It is recommended that consent subject to a condition is included with the decision regarding contaminated soils.

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: 8

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

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) Impact on the conservation area, AONB and character of the area
- (iii) Effect on neighbouring properties
- (iv) Contamination/pollution risks

- (i) Principle of development

- 7.2 The application site is located within the defined urban area within the Emsworth Conservation Area. As such regard must be paid to Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that in the exercise of its planning powers with respect to any buildings or other land in the conservation area, the local planning authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area

(ii) Impact on the conservation area, AONB and character of the area

- 7.3 No 6 Nile Street has an existing single storey extension to the rear of the dwellinghouse. Under APP/17/00152 permission was granted in May 2018 for the widening of this extension and alterations to the fenestration on the proposed extension and dwellinghouse. The new application seeks to make changes to the internal layout of No 6 and alter the materials proposed for all windows and doors from a UPVC to an RAL 7016 coated aluminium frame.
- 7.4 The works are viewable from the public domain as the dwellinghouse is situated between the highway of Nile Street to the front and a public car park to the rear.
- 7.5 The conservation officer has been consulted in regards to the proposal and comments have been made stating that the works appear to be an enhancement of the existing arrangement with the size ensuring the works are not overly dominant. The existing arrangement of the windows is modern and not typical in the conservation area but is contemporary which is a benefit of the host dwelling. A past condition has been complied with and materials signed off as a result and therefore a condition shall be included to ensure that the materials proposed are what those were previously signed off to ensure the development looks in keeping to the Conservation Area and surrounding locality. The harbour conservancy has raised no objections to the scheme but have suggested that a similar condition of this nature should be included with the decision which as previously approved under APP/17/00152 shall be controlled to be as approved.
- 7.6 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 preserve the character of the conservation area.

(iii) Effect on neighbouring properties

- 7.7 The proposed development to alter the materials of the windows and doors on No 6 is considered to not lead to a significant adverse impact on the neighbouring dwellings immediately surrounding the site.
- 7.8 The works proposed to No 6 shall fill in a moderately sized gap between the existing development and the boundary of the neighbouring dwelling No 8. This should ensure that an acceptable amount of amenity space shall be retained for the existing and future occupiers of No 6 as a result of the development.
- 7.9 Concern was raised under APP/17/00152 that the extension and revised fenestration could lead to the extension being used as a balcony, platform or terrace. To ensure that the extension is not used in this way a condition shall be included with this decision preventing this. This is considered to satisfactorily address this concern.
- 7.10 The rear extension is proposed to extend up to the curtilage boundary of No 8 Nile Street which due to the works position to the east of the neighbouring property has the

potential to create shadowing and shading to the amenity space and into a dining room area which is served by one window in the rear elevation at ground floor. It is acknowledged that the existing development creates an impact in this regard and therefore anything in closer proximity to the boundary with No 8 shall create significant additional harm. In order to reduce the impact caused as a result plans have been amended that reduce the width of the development marginally setting the works away from the boundary with No 8. A hipped roof has been proposed along part of the elevation closest to No 8 in order to reduce the impact caused to light levels and shadowing. It is noted that no objection has been made by the neighbouring dwelling No 8 and therefore it is considered that on balance without an objection and as the development has incorporated measures that reduce the impact caused sufficiently enough that the development can be considered to be acceptable.

- 7.11 The windows proposed to No 6 at first and second level are to replace existing windows and therefore although slightly different in design and size the impact caused as a result is not considered to cause significant additional harm. The use of the rooms shall change in part to the front and rear of No 6 with the lounge on the first floor becoming a bedroom and a bedroom on the second floor becoming a lounge to the rear. To the front the kitchen on the first floor shall become a bedroom. The change of use of these rooms are considered to not lead to a significant adverse impact on neighbours residential amenity levels and can therefore be considered acceptable
- 7.12 Consequently, it is considered that the proposal is unlikely to 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).

(iv) Contamination/pollution risks

- 7.13 Environmental Health have been consulted as part of the application and have commented that the application site is positioned on a site where land is potentially contaminated due to its past uses. Therefore in order to ensure the risks associated with the suspected contamination are acceptable a condition has been suggested to be included with the decision to ensure that if contamination is discovered during groundwork that work ceases until a scheme dealing with the risks is submitted and approved in writing by the Local Planning Authority prior to development work commencing. This shall be included as part of the decision to ensure the development can be carried out without significant risks.
- 7.14 No objections have been received from Environmental Health, nor any neighbouring properties, with respect to the log burning flue and therefore this aspect of the development is considered acceptable

8 Conclusion

- 8.1 The scale, siting and design of the proposal would preserve the character of the Conservation Area and would have limited and acceptable impact on the neighbours 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/18/00424 subject to the following conditions:-

- 1 The development must be begun not later than 11th May 2021.
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:

Design and Access Statement: Received 19.04.2018
Proposed Floor Plan, Section, Elevation, Location and Block Plan: Drawing No 16107/02 Revision B

External Material Specification: Received 26.04.2018
Sedum Blanket System Details: Received 27.04.2018
Section Plan: Sedum Blanket System: Received 27.04.2018

Reason: - To ensure provision of a satisfactory development.

- 3 In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme and assessment to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:
 - i) a survey of the extent, scale and nature of contamination
 - ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
 - iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

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The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the development hereby approved is first occupied.

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework 2012; there is a potential for contamination to exist at the site within made ground which could pose a risk to groundworks staff & future occupants.

- 4 At no time shall the flat roof of the single storey extension hereby permitted be used as a balcony without prior written approval from the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 5 The external materials used shall match those previously approved under APP/17/00152, as amended by this application, which are:

External Material Specification:

Sample: Red Facing Brick

Sample:RAL 7016 Anthracite Grey Aluminium Frame for Doors and Windows

Sedum Blanket System Details

Section Plan: Sedum Blanket System

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.