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| Site Address:   | 23 Tower Street, Emsworth, PO10 7BH                                            |               |               |
| Proposal:       | Installation of wooden trellis fencing to existing wall in internal courtyard. |               |               |
| Application No: | APP/18/00762                                                                   | Expiry Date:  | 21/09/2018    |
| Applicant:      | Mr Davies                                                                      |               |               |
| Agent:          | Mr Helyer Davies Architects<br>Helyer Davies Architects Ltd                    | Case Officer: | Emma Chisnall |
| Ward:           | Emsworth                                                                       |               |               |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

- 1.1 The application site comprises a detached two storey cottage fronting onto the harbour. The property, which is statutorily listed and positioned within the Emsworth conservation area, is served by a relatively long drive with access off Tower Street.

## **2 Planning History**

04/55935/000 - Application to thin by 10% prune southern canopy by 1 metre T2 subject of TPO 1484., PERM,13/10/2004  
04/55935/001 - Notification of intention to prune 1 metre from Southern section of a Sycamore within Emsworth Conservation Area., RNO,28/09/2004  
APP/14/00144 - Crown reduce 1No. Poplar by 4m to previous pollard points; within Conservation Area of Emsworth., RNO,20/03/2014  
APP/15/00179 - Fell 1No. Sycamore within Conservation Area of Emsworth., RNO,25/03/2015  
APP/15/00248 - Demolition of existing side lean to extension and construction of single storey side extension. Conversion of existing detached garage to studio. Replacement railings and gate to front boundary., PERM,15/05/2015  
APP/15/00249 - Listed Building Consent for demolition of existing side lean to extension; external and internal renovation and refurbishment works., PERM,15/05/2015  
APP/15/00501 - Replacement wall to east boundary, UNK,  
APP/15/00502 - Replacement wall to east boundary, UNK,  
APP/15/00851 - Remove earth mound. Replace listed wall with new boundary wall reusing original materials and matching new materials where necessary., PERM,06/10/2015  
APP/15/00852 - Listed Building Consent for removal of earth mound. To replace listed wall with new boundary wall reusing materials and matching new materials where necessary., PERM,06/10/2015  
APP/15/00921 - Discharge of Condition No. 3 of Planning Permission APP/15/00248., PERM,07/09/2015  
APP/15/00922 - Discharge of Condition No. 3 of Listed Building Consent APP/15/00249., PERM,07/09/2015  
APP/15/01090 - Discharge of Condition No.4 of Planning Permission APP/15/00249., PERM,12/10/2015

APP/15/01394 - Listed Building Consent for removal of earth mound. To replace listed wall with new boundary wall reusing materials and matching new materials where necessary. Request to Discharge Condition 2 of Planning Permission APP/15/00852., PERM,17/12/2015  
 APP/16/00414 - Additional rooflight to north elevation., PERM,10/06/2016  
 APP/16/00415 - Listed Building Consent for additional rooflight to north elevation., PERM,10/06/2016  
 APP/18/00175 - Listed Building Consent for replacement of existing south elevation windows.(Approved 06.04.18). Request to Discharge Condition No.3 (03.08.18)., PERM,05/04/2018  
 APP/18/00763 - Listed building consent for installation of wooden trellis fencing to existing wall in internal courtyard., PERM,  
 APP/18/00774 - Drawing 14169-52 which has all window details, includes 1:5 sectional plan of sash window, materials, finishes and depth of reveal., UNK,

### **3 Proposal**

- 3.1 Installation of wooden trellis fencing to existing wall in internal courtyard.

### **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)                                                             |
| DM8  | (Conservation, Protection and Enhancement of Existing Natural Features)           |

Havant Borough Local Plan (Allocations) July 2014

|     |                                                    |
|-----|----------------------------------------------------|
| AL1 | (Presumption in Favour of Sustainable Development) |
|-----|----------------------------------------------------|

Listed Building Grade: Grade 2

Conservation Area: Emsworth

### **5 Statutory and Non Statutory Consultations**

#### **Chichester Harbour Conservancy**

Further to a site visit made 14.08.18 and having regard to the policy framework\* below, as these works are barely visible and set from the Harbour edge or from Tower Street, they would have no impact on the AONB landscape and I am satisfied that the significance of this heritage asset would be preserved and integrity of the Listed Building maintained. As such, there would be no harm to the cultural identity of the AONB either.

## **Conservation Officer**

23 Tower Street is a grade II cottage located right of the waterfront within the Emsworth Conservation Area. The property is largely contained within curtilage listed boundary walls on most sides.

### **Legislative and Policy background**

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 NPPF 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.

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets 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.

196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

### **Local Plan Core Strategy**

Polices CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough 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'.

### **Proposal**

The application seeks to install three trellis panels adjoining a wall within the curtilage of a listed building supported on a course of reclaimed bricks along the fence line to id the levelling of ground to the north side of the trelliss. Located to the eastern side of the property. The panels measure approximately 1.9 metres in height set above a low brick

plinth. The trellis is to provide screening to an outdoors seating area from the neighbouring properties as well as to screen out the parking area within the application property.

#### Assessment

The proposal is not seen to be harmful to the significance of the listed building as it will attach to the wall along the edge of the first panel. However, this can be further mitigated by ensuring that any fixing from the post to the wall are positioned such that they attach into the mortar and not the brickwork/stone work of the wall. Thus ensuring that any damage done can be easily repaired by matching the mortar and the work is then fully reversible.

The plans show post holes for the intermediary post positioned away from the building so this should not interfere with the stability of the wall, and the brick course is shown with no footings.

#### Condition

A condition should be added requiring any fixing of the proposed structure should be into the mortar and not brick or stone work.

**Planning Officer Comment:** A condition relating to this shall be included in the Listed Building application under APP/18/00763

#### **Countryside Access Team**

No comment

#### **Open Space Society**

No comment

## **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: 4

Number of site notices: 2

Statutory advertisement: 17/08/2018

Number of representations received: 1

| Comment                                                                                                                                                                                                                                                                                | Officer Comment |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Comments from No 19 Tower Street regarding:<br>We understand the Finney's desire for privacy - which the trellis will afford. It will also sadly restrict our view of the sea - and so can we request that any planting on the trellis does not go higher than the trellis itself. The | See section 7   |

|                                                                                                                                              |  |
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| planting on the other fence in the courtyard now rises several feet above the fence and completed blocks any view we once had of the harbour |  |
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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 Listed Building
- (iii) Impact on the character and appearance of the Conservation Area and AONB
- (iv) 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.

7.3 In this case the proposal includes works to a Listed Building and the site is 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.

(ii) Impact upon the character and appearance of the Listed Building

7.4 The site comprises of a Grade II listed building and therefore particular consideration needs to be given to the historical importance of the building when making a proposal for changes.

7.5 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Planning Authorities to have special regard to the desirability of preserving listed building or their setting or any features of special architectural or historic interest which they possess.

7.6 The application has been considered in detail by the Councils Conservation Officer and the works are considered to not be significantly harmful to the listed building as long as any fixings for the proposed structure are connected to the mortar instead of the brickwork and stone in order to protect the listed building. It has been confirmed that this is the intention of the proposal and a condition shall be included with the listed building application under APP/18/00763 to ensure the protection of the special architectural and historic interest of No 23. Taking this into account the works are considered to preserve the listed building and are therefore considered to be acceptable.

(iii) Impact on the character and appearance of the Conservation Area and AONB

7.7 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 of preserving or enhancing the character or appearance of that area.

- 7.8 In this case, the external works that form part of the proposal shall be to the side of No 23 and consist of three wooden trellis panels which are not readily visible from the public domain. As such the works would not result in significant harm to the Emsworth Conservation Area and are considered to preserve the character of the Conservation Area resulting in an acceptable development.
- 7.9 The application has been considered in detail by the Harbour Conservancy and the works are considered to be barely visible and shall be set in from the Harbour edge and Tower Street. The works are therefore considered to have a negligible impact on the AONB and the heritage asset is considered to be preserved as a result.

(iv) Effect on neighbouring properties

- 7.10 Comments have been received from the dwellinghouse to the north No 19 Tower Street that the development has the potential to restrict the view of the harbour from the dwellinghouse. They have asked that hedging is not permitted to be grown any higher than the proposed trellis. Hedging and foliage as a boundary does not require planning permission and therefore the height of any natural screening could not be controlled as part of this decision. The height of the trellis is wooden and therefore does require planning permission however the height proposed at approx 1.9m is considered to reflect the typically expected height of boundary screenings. It is noted that the trellis shall be the same height as an existing wall on the site and shall be in approximate height of others within the curtilage. Therefore the works are considered to not create a significant additional adverse impact as a result and are considered to be acceptable.
- 7.11 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).

## **8 Conclusion**

- 8.1 In conclusion, the proposed development is considered to be acceptable in principle and would preserve the character and appearance of the Listed Building and Emsworth Conservation Area and would not be unneighbourly. Planning permission can therefore be recommended subject to conditions.
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## 9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00762 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:

Design and Access Statement: Received 27.07.2018

Heritage Statement: Received 27.07.2018

Existing and Proposed Elevation, Floor, Block and Location Plan: Drawing No 18085/001

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