
Appeal Decision

Site visit made on 28 November 2017

by JP Roberts BSc(Hons) LLB(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2018

Appeal Ref: APP/X1735/W/17/3179516

23 South Street, Emsworth, Hampshire PO10 7EG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Oyster Pearl Ltd. against the decision of Havant Borough Council.
 - The application Ref APP/16/01113, dated 24 October 2016, was refused by notice dated 16 January 2017.
 - The development proposed is a change of use from C3 to C1, with additions and alterations.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The Council's decision notice describes the proposal as "alterations and additions for conversion from a dwelling to a boutique hotel including link to adjacent restaurant (C3 to C1)". This more fully describes what is proposed, and I shall deal with the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the setting of 25 South Street, a Grade II listed building, and whether it would preserve or enhance the character or appearance of the Emsworth Conservation Area.

Reasons

4. The appeal building is a pleasant, but undistinguished, two storey brick-built dwelling, dating from the middle of the last century. The Council accepts that its demolition would not be harmful, subject to an appropriate replacement, and planning permission has already been granted for a two-storey replacement hotel. The appellant company has control of the neighbouring restaurant, and it is intended that the hotel and restaurant would complement each other. The existing building has a traditional pitched roof, which echoes those of the buildings on either side. One of those neighbouring buildings, 25 South Street, is a Grade II listed building.
5. The site is located between the historic town centre and the harbour, where the Council's Conservation Area Appraisal indicates that, along with Queen Street, a slight change in level downwards from the centre adds to the attraction of the pleasant urban character arising from continuous street frontages, buildings set at the backs of pavements, and the narrow road network. It says that building

- heights are predominately two storeys and rarely exceed three storeys, with historic individual plots having largely survived intact.
6. The Council says that these buildings were likely to have originally been fisherman's cottages, and I consider that this scale and domestic-style architecture contrasts with that of some of the buildings within the town centre, where a greater number of larger and ornate buildings can be found.
 7. The appeal building is part of a closely grouped line of four two-storey buildings and lies opposite other two-storey buildings, to the south of which are two 2-storey listed buildings (at Nos 20 and 22). The appeal property, although not of special architectural quality, nevertheless reflects the heights, eaves and ridge levels of its immediate neighbours, and serves to reinforce a sense of place and architectural uniformity. Whilst the Blue Bell, to the south of No 25, is a more recent building, constructed in brick and with its ridge at right-angles to the road, its height is broadly consistent with that of its neighbours.
 8. The Chichester Harbour Area of Outstanding Natural Beauty Joint Supplementary Planning Document (SPD) sets out key issues for the historic core of Emsworth. These include the need to conserve the historic character of the town and indicate that that rooms in roofs with skylights and dormer windows should be carefully considered to minimise visual impact.
 9. Mansards with dormers are found elsewhere in the town, including the nearby town centre and on Nile Street, where there is greater diversity in building heights and where a roof of the design proposed would fit in. However, there are none in this part of South Street, which has its own distinctive lower key character, and I consider that the higher roof and prominent roof dormers in this location would appear as incongruous in the site's context.
 10. The proposal would disrupt this strong cohesive character, by adding a mansard roof with four dormers in the front elevation. This would be visually dominant, standing out against the lower buildings on either side and those opposite. The incongruity would not only be harmful to the appearance of the group of buildings, but would also be out of character with the lower-key scale of buildings in this part of South Street. I find that this would be damaging to the character and appearance of the conservation area, albeit that the harm would be less than substantial in the terms of paragraph 134 of the National Planning Policy Framework (the Framework).
 11. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on decision makers in considering whether to grant planning permission 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. "Setting" is defined in the Framework as being the surroundings in which a heritage asset is experienced, and as the appeal site lies immediately next to the listed building at 25 South Street, it is clearly part of the surroundings in which the building is experienced.
 12. The more prominent and discordant roof proposed would compete with the more modest proportions of the listed building, and would diminish its significance. I therefore find that the proposal would fail to preserve the setting of the listed building. Again, this harm would be less than substantial.

13. Where harm is less than substantial, the Framework requires that the harm should be weighed against the public benefits of the proposal, including that of securing its optimum viable use. The appellants have explained that the additional space would facilitate the provision of a double room, and I recognise that this would provide a benefit in making a more optimal use of the site. A double room would be more likely to be attractive to tourists, and therefore would contribute to the local economy. However, there is no evidence that the proposal would be unviable without the additional accommodation, and in any event, given the great weight which is attached to the protection of heritage assets such as these, I find that the harm that I have identified would clearly outweigh the benefits.
14. I therefore conclude that the proposal would neither preserve nor enhance the character or appearance of the Emsworth Conservation Area, and would fail to preserve the setting of the listed building at 25 South Street. The proposal would conflict with Policies CS11 and CS16 (1a) of the Havant Borough Local Plan (Core Strategy) 2011, which respectively deal with heritage and the natural environment and high quality design. It would also conflict with Policy DM20 of the Havant Allocations Plan 2014, which concerns historic assets, and with the SPD referred to above.

Other matters

15. The proposal would make little material difference in terms of parking or traffic generation over and above the development already approved by the Council. As the approved scheme represents a realistic fallback, such considerations do not add to my reasons for dismissing the appeal.
16. I have had regard to the support for the proposal from a local ward councillor, but this does not alter my conclusion.

Conclusion

17. For the reasons given above, I conclude that the appeal should be dismissed.

JP Roberts

INSPECTOR