

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

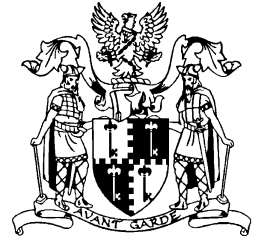
**STATEMENT OF
HAVANT BOROUGH COUNCIL**

**23 SOUTH STREET, EMSWORTH, HAMPSHIRE,
PO10 7EG**

**Local Planning Authority Reference:
APP/16/01113**

**Planning Inspectorate Reference:
APP//X1735/W/17/3179516**

HAVANT BOROUGH COUNCIL



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY OYSTER PEARL Ltd AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR ALTERATIONS AND ADDITIONS FOR CONVERSION FROM A DWELLING TO A BOUTIQUE HOTEL INCLUDING LINK TO ADJACENT RESTAURANT (C3 TO C1) – REVISED APPLICATION AT 23 SOUTH STREET, EMSWORTH, HAMPSHIRE, PO10 7EG.

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1.0 THE APPLICATION

- 1.1 The application was validated on 22nd November 2016 and sought permission for Alterations and additions for conversion from a dwelling to a boutique hotel including link to adjacent restaurant (C3 to C1) – Revised Application.

The application was reported to the Development Management Committee held on 12th January 2017 where it was resolved to refuse permission on the following grounds:

1. The proposed mansard style roof extension on a building which sits in between No. 25 South Street and the Coal Exchange Public House, by reason of its height, scale, bulk, detailed design and prominence in the street scene and wider roofscape of the conservation area, would have an intrusive impact on the setting of the adjacent Listed Building at No. 25 South Street and the character of the Emsworth Conservation Area and streetscene, by unbalancing the unity of the architectural composition of this section of South Street and further breaking the original and unique integrity of this historic design. For this reason, the proposal would fail to comply with policies CS11 and CS16 (1a) of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Allocations Plan 2014 and national guidance contained in the National Planning Policy Framework.
- 1.2 It is considered that the Committee Report is sufficiently detailed to also constitute the LPA's Statement of Case. Therefore the Inspector is respectfully requested to first refer to this document that has already been forwarded with the appeal questionnaire
- 1.3 This Appeal Statement will not duplicate, but only update and elaborate on the reason for refusal as follows:

2.0 PLANNING POLICY UPDATE

- 2.1 The site lies within Chichester Harbour AONB and since the application decision, Chichester District and Havant Borough Councils have prepared a Joint Chichester Harbour AONB SPD. This was formerly adopted by Havant Borough Council on 19th July 2017, i.e. after the determination of the application now the subject of this appeal.
- 2.2 A copy of the SPD can be found at the following link:

<http://www.havant.gov.uk/sites/default/files/documents/AONB%20SPD%20ADOPTED%2019%20JULY%202017.pdf>

2.3 Emsworth Historic Core is discussed at section 35 on page 53.

3.0 PLANNING CONSIDERATIONS

3.1 An important point to note is the LPA's view that Emsworth Conservation Area has distinctive sub-areas and the appeal site lies within the smaller scaled, simpler area of South Street and the Town Quay. Whilst there are examples of grander 3 storey Georgian buildings elsewhere in the town, none are visually related to the appeal site. The context of 23 South Street is set between two other similar proportioned buildings that have a relatively consistent roof pitch/slope, ridge line and eaves line. There is a degree of uniformity and simplicity in the street façade of 21 through to 25 South Street.

3.2 No 25 is a Grade II Listed Building, the listing details of which notes:

House and shop. C18 with early and late C19 front. Stucco front walls, brick elsewhere; slate roof at the front and tile to the rear. 2 storeys, 4 upper windows. Quoins, high plinth. Sashes. Shop-front of early C20, with cornice on brackets

3.3 Opposite and slightly to the south of the site, No 20 and 22 South Street are also Grade II Listed Buildings, also being noted as having symmetrical front of 2 storeys. It is the unity and cohesion of these domestic scaled two storey buildings that give this section of South Street its distinctive character. Essentially many of the buildings were originally fisherman's cottages and that low key character prevails.

3.4 It is recognised that the existing 1949 infill dwelling on the appeal site has no particular architectural merit in its own right other than its simplicity which is in keeping with the adjacent buildings. It is therefore considered to provide a 'neutral' contribution to the Conservation Area.

3.5 However the proposal would re-roof the building and in so doing raise the eaves level and provide a parapet wall with mansard style roof with 4 dormers in the front roofslope and 2 in the rear. The outward character of the building would be fundamentally altered as a result, emanating a Georgian style. The proposed enlarged window proportions and pillared entrance porch in the Georgian style would result in a building design overly dominant and at variance to its immediate neighbours. It is considered that this altered appearance with higher eaves line and boxy roof profile would sit uncomfortably between the simplicity and two sloping roofs of No 25 and 21. The resultant juxtaposition of building style and roof heights and profiles would have a jarring and un-harmonious effect on the existing visual cohesion of the immediate area. This would have an incongruous effect on the setting of the adjacent Listed Building.

3.6 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 give a statutory duty to preserve a Listed Building or its setting and preserve or enhance a Conservation Area. It is considered that the proposed change in roof profile and form would do neither and would have a harmful effect. Since such historic assets are irreplaceable then great weight should be given to their conservation. It is not considered that there is any public benefit of the proposal, including securing its optimum viable use, which would outweigh the harm to the adjacent Listed Building and character of Emsworth Conservation Area.

- 3.7 The Appellant has argued that the proposal would enable a larger double room on the second floor – marked on the plans as a VIP suite. But this is not considered sufficient reason to justify the resultant harm. An approved scheme exists in the form of Planning Permission APP/15/00928 which approves the conversion of the building to a boutique hotel with a single ensuite room in the roofspace, through the use of two modest dormers in the proposed front roofslope. The principle of the boutique hotel is not in dispute but the wish to upgrade the room in the roofspace to a VIP suite is not considered of a public benefit but rather a commercial gain. No evidence has been submitted to indicate that the difference in this room is critical to the hotel business to secure the viable use of the hotel. Accordingly the proposal is not considered sufficiently justified and in the public interest and does not meet paragraphs 132 to 134 of the NPPF.

4.0 COMMENT ON GROUNDS OF APPEAL

- 4.1 The Appellant considers Policy CS11 and has incorrectly noted that as part of The Havant Borough Townscape, Landscape and Seascape Character Assessment (February 2007) the Historic Core of Emsworth was not included in the study area. LCA 24 did provide a thorough assessment of Emsworth Historic Core – see link below:

<https://www.havant.gov.uk/sites/default/files/documents/LCASection5Mainland22to28.pdf>

- 4.2 Most notably this assessment recognises the differences between the different streets and areas of the overall town, as follows:

“Narrow plot boundaries, deriving from the medieval burgage plots, particularly along High Street and South Street” ...and conversely.... “The heyday of the town in the 18th century is evidenced by the fine surviving Georgian streetscapes, particularly along King Street, Queen Street, Tower Street and Nile Street, and the re-fronting of earlier buildings on the High Street”.

- 4.3 Furthermore this document also recommends as a strategy and guidelines:

“Conversion of existing vernacular buildings should be carefully controlled to prevent loss of local character”... and... “New development including extensions should avoid the introduction of suburban styles and materials and respond to its landscape setting in scale, form and design, materials and colour”....and... “Any new development within, or adjacent to the historic core should be of a scale and massing in keeping with the historic precedent”.

- 4.4 The Appellant notes under clause 4 of policy CS11 that the “...proposed mansard style roof would be appropriate for a house of this type and is found *elsewhere* in Emsworth”. (LPA’s italics). The LPA consider the word ‘elsewhere’ is critical in that mansard roofs are not found in South Street.

5.0 CONCLUSION

- 5.1 The LPA remains of the view that the proposed change to a dominant Georgian design with mansard style roof extension would result in an overly bulky design at variance with the otherwise uniform and simple frontage and roofscape of 21 – 25 South Street. The proposal would result in a juxtaposition of styles and roof heights and profiles which would have a jarring and un-harmonious effect on the existing visual cohesion of the immediate area. This would have a harmful and incongruous effect on the setting of the adjacent Listed Building and character of this section of Emsworth Conservation Area.

Without any appropriate public benefit justification, the proposal is considered contrary to policies CS11 and CS16 (1a) of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Allocations Plan 2014 and para 134 of the National Planning Policy Framework. The Inspector is therefore respectfully requested to dismiss this appeal.

APPENDICES

(A) Location Plans

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SUGGESTED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Conversion of the building and construction of the extensions hereby permitted shall not commence until samples and details of all external facing and roofing materials including materials for the proposed rear glazed addition, dormers, windows, doors and front pillared porch detail, and Juliette balcony railings, shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

3. Prior to the installation of any external lighting to the front elevation, details shall be submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting of the front elevation other than as thereby approved.

Reason: To safeguard the amenities of the locality, the Emsworth Conservation Area having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.

4. Conversion of the building and constructions of the extensions hereby permitted shall not commence until 1:20 or 1:50 scale drawings and details of all new windows and doors including sections shall be submitted to and approved in writing by the Local Planning Authority. Thereafter only such approved window and door details shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

5. Conversion of the building and construction of the extensions hereby permitted shall not commence until drawings and details to a scale of not less than 1:20 of the new parapet and dormer windows and their decorative finishes have been submitted to and approved in

writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and shall be retained thereafter.

Reason: In order to safeguard the special architectural and historic interest of the area and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

6. The provision of the bin store and cycle storage area within the external yard area as shown on the proposed plan (DN: 1530-421) shall be provided prior to the hotel hereby approved being brought into use and retained for those purposes thereafter.

Reason: in the interests of the amenity of the site and having due regard to Policy CS16 DM10 and DM14 of the Havant Borough Local Plan (2011), and the National Planning Policy Framework 2012.

7. The maximum ridge height of the extended building shall be as shown on section drawing number 1530-621 and shall not increase the existing ridge height of the building by more than 0.192 metre.

Reason: To accord with the submitted details and to ensure that the altered building has an acceptable scale in the street scene in the interests of the character and appearance of the Conservation Area having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Statement 2012.

8. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location and block plans - DN: 1530-121

Proposed Ground Floor Plan DN: 1530-421

Proposed first, second and roof floor plans DN: 1530-422 rev A

Proposed East and North elevations - DN: 1530-521 rev A

Proposed West and South elevations - DN: 1530-522 rev A

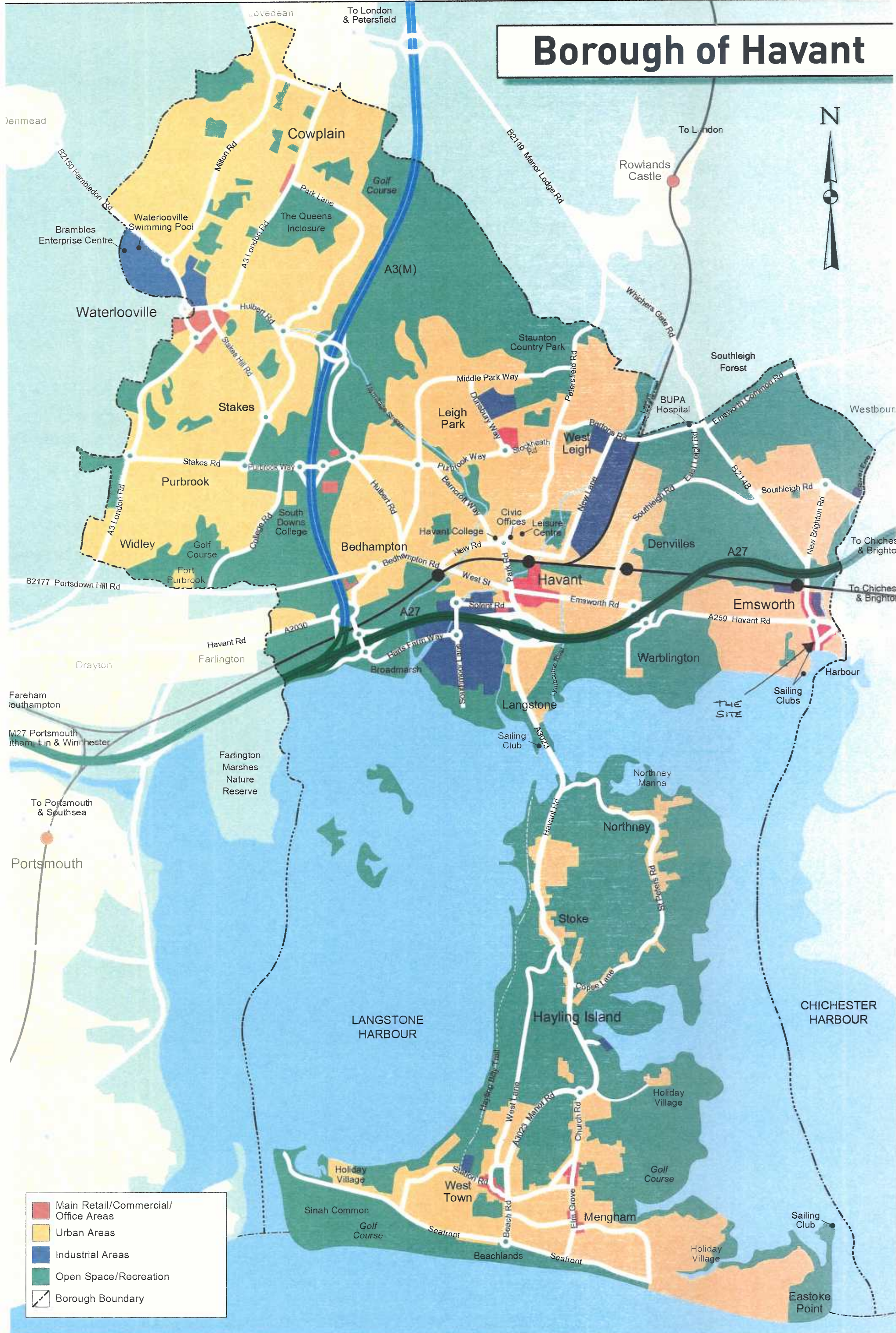
Existing and proposed sections - DN: 1530-621

Reason: - To ensure provision of a satisfactory development.

Borough of Havant



- Main Retail/Commercial/Office Areas
- Urban Areas
- Industrial Areas
- Open Space/Recreation
- Borough Boundary





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