

Grounds of Appeal Statement

For

APP/16/01113

**Alterations and Additions
For Conversion From
C3 (Rented Dwelling) to C1 (Boutique Hotel)**

At

**23 South Street,
Emsworth,
Hampshire,
PO10 7EG**

On Behalf of

Mr. N. Ralls

Martin Critchley, Chartered Architect.

The Old Brewery,
15E South Street,
Havant,
Hampshire,
PO9 1BU

July 2017

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1.0 Introduction

- 1.1 This report provides the Grounds of Appeal against the decision to refuse planning permission for APP/16/01113, alterations and additions for conversion from C3 (rented dwelling) to C1 (boutique hotel).

Terms of Reference

- 1.2 We are acting on behalf of Mr. Ralls of Oyster Pearl Ltd., 6 Paignton Avenue, Copnor, PO3 6LL.

Description

- 1.3 The site which is the subject of this appeal is a house and rear garden at 23 South Street, Emsworth. The house is of post-war construction, probably built to replace an earlier building that was bomb-damaged. It is a detached property, built alongside, but not touching, the Listed buildings at No.25.
- 1.4 Having considered the appeal site, this grounds of appeal provides further written evidence to support the appeal submission, beginning with the background to the current proposal.
- 1.5 Reference should be made to the following documents for details of the proposals, ref:

1530	-	121	Site Plans
		221	Existing Ground Floor Plan
		222	Existing First Floor and Roof Plan
		321	Existing Elevations
		421	Proposed Ground Floor Plan
		422A	Proposed Upper Floor and Roof Plans
		521A	Proposed Elevations
		522A	Proposed Elevations
		621	Draft Sections
		622	Building Profile Study
			Visual Impact Assessment
			Design and Access Statement V2

2.0 Background

2.1 A planning application for alterations and additions for conversion from C3 (rented dwelling) to C1 (boutique hotel) was submitted by Martin Critchley, Chartered Architect to the Havant Borough Council. This scheme was registered with Havant Borough Council on 25th October 2016. The planning application number was APP/16/01113.

2.2 The application was refused planning permission on 16th January 2017, after consideration at a Development Management Committee on 12th January 2017. The order paper at committee was for a refusal. Councillor Buckley put a counter-motion to approve, which was lost by four votes to three. The refusal was then also passed with four votes to three.

2.3 The application was refused planning permission for the following reason:

“ 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.

This was the only reason stated on the refusal notice.

2.4 Planning permission for APP/15/00928, alterations and additions for conversion from a dwelling to a boutique hotel including link to adjacent restaurant (C1 to C3), approved under APP/14/01165 was granted on 4th November 2015 for the same site. The principle of conversion works is therefore not in question, it is only the addition of a mansard roof that is in dispute.

2.5 Our client applied for the addition of a mansard roof in order to provide enough space for a double room on the second floor. After completing the adjacent restaurant conversion our client also wished to revisit the approved scheme to better complement the way the restaurant is run.

3.0 Grounds for Appeal

- 3.1 This section sets out the grounds for this appeal submission by first considering the Development Plan and then other relevant material considerations.

The Development Plan

- 3.2 The Development Plan, in this instance, refers to the Havant Borough Local Plan, adopted March 2011.

3.3 Policy CS11 - Protecting and Enhancing the Special Environment and Heritage of Havant Borough

Planning permission will be granted for development that:

1. Ensures the key landscape and built form principles set out in the Havant Borough Townscape, Landscape and Seascape Character Assessment are protected and where possible enhanced by partnership working with developers, groups and the wider community.

The Havant Borough Townscape, Landscape and Seascape Character Assessment (February 2007) designates the site as part of Landscape Character Area 24 (Emsworth – historic core). LCA 24 is within the urban areas of the Havant mainland and was therefore not one of the LCAs included in the study area.

2. Protects and where possible enhances the borough's statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest. Protection and enhancement will be achieved by appropriate adaptation and mitigation measures including wardening, education and information and the creation of new habitats, water bodies/courses planting of new trees and woodland.

Not relevant to this application.

3. Has particular regard to the following hierarchy of nature conservation designations within the borough (as identified on the Proposals Map): (i) Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar [International]. (ii) Sites of Special Scientific Interest (SSSI) and National Nature Reserves [National]. (iii) Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), other Ancient Woodland not identified in (ii) above [Local].

Not relevant to this application.

4. Protects and where appropriate enhances the borough's statutory and nonstatutory 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.

This is subjective. The proposals have always aimed towards the regeneration of the existing building into something more closely resembling a Georgian house, which is in character for the area. The proposed style of mansard roof would be appropriate for a house of this type and is found elsewhere in Emsworth.

5. Supports an ongoing programme of survey of habitats and species and designation of Sites of Importance for Nature Conservation.

Not relevant to this application.

6. Incorporates partnership working with conservation organisations to improve public understanding of biodiversity and to manage public access to designated sites, particularly on the coast, to reduce harm to nature conservation interests.

Not relevant to this application.

7. Incorporates partnership working with landowners and developers to ensure land management practices restore, enhance and where appropriate create new valued landscapes, habitats and their soil structure, particularly the ancient woodland remnants of the Forest of Bere and coastal salt marsh.

Not relevant to this application.

8. Protects wildlife habitats and wildlife corridors to prevent the fragmentation of existing habitats and to allow species, for example Brent Geese, to respond to the impacts of climate change by making provision for habitat adaptation e.g. coastal managed realignment and species migration.

Not relevant to this application.

9. Maintains undeveloped gaps between the settlements of Emsworth/Havant; Havant/Waterlooville; Havant/Portsmouth; Emsworth/Westbourne and Leigh Park/Rowlands Castle as shown on the Proposals Map.

Not relevant to this application.

10. Protects the best and most versatile agricultural land that has the greatest potential for local food security. 11. Responds to the emerging evidence from the Solent Disturbance and Mitigation Project, the published recommendations, and future related research.

Not relevant to this application.

3.4 **Policy CS16 - High Quality Design**

Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

1. Responds to, draws inspiration from and respects local context and:

- a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;*
- b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;*
- c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;*
- d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and*
- e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*

It is our opinion, supported by the Visual Impact Assessment and Building Profile Study that this criteria has been met.

2. Produces a positive relationship between buildings, street and spaces both existing and proposed, where:

- a) The layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;*
- b) New streets are not dominated by vehicular traffic; c) The layout of the development is legible, meaning it is easy to orientate oneself and move through.*

Not at issue.

3. Contributes to the improvement of the public realm close to the development, particularly sites close to town, district and local centres and other priority regeneration areas by using high quality hard and soft landscape material and street furniture; and where development is of a significant scale or prominence makes provision for public art.

Not at issue.

4. Is inclusive by considering the needs of those with disabilities, ensuring safe and convenient access for all; and integrating affordable and supported housing with market housing through tenure blind design to minimise social exclusion and promote social integration.

Not at issue.

5. Maximises opportunities for mixed use developments, particularly in town and district centres; and encourage higher densities (50+ dwellings per hectare) where appropriate.

Not at issue.

6. Mitigates negative environmental impacts through sustainable design and construction methods, resource efficiencies, particularly water and the provision of facilities for waste recycling.

Not at issue.

7. Adapts to the changing needs of the users and the changing climate over the lifespan of the building.

It is here that the addition of a mansard roof would be of considerable benefit, allowing far greater flexibility of accommodation for the users.

3.5

Havant Allocations Plan 2014: Policy DM20 - Historic Assets

Planning permission will be granted for development that conserves and enhances the historic assets of Havant Borough. Applications that affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement that:

1. Describe the significance of the asset and its setting, using appropriate expertise and where necessary original survey, at a level of detail proportionate to its significance and sufficient to understand the potential impact of the proposal.

This was provided and accepted for the earlier pitched roof application.

2. Sets out the impact of the development on the heritage assets and mitigation that is proportionate to the impact and the significance of the heritage asset, including where possible positive opportunities to conserve and enjoy heritage assets.

It is our opinion that the intention of the proposals is very much aimed at providing positive opportunities to enjoy the Emsworth Conservation Area and is therefore in line with the above policy.

4.0 Conclusions

- 4.1 On behalf of our client we have considered the reasons given to refuse planning permission for the proposed development and believe them to be against the terms of the Development Plan.
- 4.2 We conclude, based on the above analysis, that this proposal is consistent with the general terms of Policies CS11 and CS16 of the Havant Borough Local Plan 2011.
- 4.3 We further conclude that this proposal meets the general requirements of Policy DM20 of the Havant Allocations Plan 2014.
- 4.4 We therefore conclude that planning permission should be granted on appeal.

5.0 Recommendations

- 5.1 Given that the proposal accords with the terms of the Development Plan and other relevant material considerations, we respectfully recommend that planning permission is granted for this appeal.

Martin Critchley, Chartered Architect.

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6th July 2017