
Site Address: 17 Harbour Way, Emsworth, PO10 7BE
Proposal: New glass balustrade for first floor balcony (to replace existing horizontal boarding).
Application Type: Full Planning Permission
Application No: APP/22/00269
Applicant: Mr Taplin
Agent: Emsworth
Expiry Date: 06/06/2022
Case Officer: Tina Pickup
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site relates to a first floor maisonette that is part of a residential block of 4 maisonettes - numbers 11 & 9 and 15 & 17 make up a "pair" of semi-detached style, two storey dwellings, located on the west side of Harbour Way, which is a private cul-de-sac off King Street. The building is currently largely white render with some pale brick feature panels, beneath a dark tiled hipped roof. The first floor maisonettes have a projecting first floor balcony over garages and front doors below, which currently have white horizontal boarding as their balustrading.

The outlook from the balcony is across the road and shared parking area between a gap in the detached dwellings on the eastern side of the road, such that it has a view of the slipway to Dolphin Quay and the Slipper Mill Pond. The remainder of Harbour Way is characterised by high density tight-knit, largely terraced dwellings and maisonettes.

The site falls within Emsworth Conservation Area, Chichester Harbour AONB and flood zone 3.

2 Planning History

None relevant

3 Proposal

New glass balustrade for first floor balcony (to replace existing horizontal boarding).

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)
CS12 (Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS15 (Flood and Coastal Erosion)
CS16 (High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)

Havant Borough Local Plan (Allocations) July 2014

DM20 (Historic Assets)
AL1 (Presumption in Favour of Sustainable Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H1 (Design & Heritage)
ENP_D1 (General Design Policy)
ENP_D2 (Height, Mass & Materials)

Listed Building Grade: Not applicable.

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

The current proposal lies inside the AONB. The proposal is located within a built-up urban town location within the AONB. The proposed works may likely be considered as 'permitted development' other than the location being within the AONB. The proposed works comprise works / alterations that require detailed approval of the LPA. The proposed works lie wholly within the site.

The proposal is for the construction of a replacement balustrade to the existing first floor flat balcony.

The proposal would replace the horizontal timber enclosure by a glass panel arrangement, each panel being 1.1m in height. There is no new floorspace created. There is no new fenestration. The works lie within the site, positioned to the front elevation facing onto the public highway and coastal views beyond through a gap in the buildings opposite.

ASSESSMENT CONSULTATION CONCLUSION

AONB PP01, PP03, PP09, Joint SPD considerations have been part of this AONB planning assessment.

Given the backdrop and setting of the built-up area, the works to the street scene would be clearly noticeable. The relatively small scale of the proposed works would have a visual impact within the site, and within the local area, being a change from the design appearance on the adjacent building block.

However the proposal is considered to have little significant visual impact on the AONB protected national landscape or be demonstrably harmful to the natural beauty of the AONB environment and surrounding supporting hinterland / buffer area.

The Chichester Harbour Conservancy raises **no objection** to the current submission. Appropriate planning conditions to control the materials of construction, the finished appearance, should be considered and applied by the LPA.

Conservation Officer

The Site

The application site is located in Harbour Way which is a development of 1960's housing at the end of King Street in the Emsworth Conservation Area. No. 17 has a balcony at first floor level on the front elevation which is enclosed with a horizontal wooden balustrade.

Legislative and Policy Context

When assessing the proposal, the following legislation and policy context is taken in consideration.

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.

Local Planning Policies

Policy 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”.

Policy CS16 (High Quality Design) (1a) of the Core Strategy states that “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:

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site”.

Policy DM20 of the Allocations Plan states that planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which 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.
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.

The Emsworth Neighbourhood Plan has now been adopted and has relevant policies which are applicable to this application:

Policy H1 – Design and Heritage

Policy H2 – Heritage Appraisals

Assessment:

The proposal is to replace the wooden balustrade with a simple glass version. This has occurred on other similarly designed properties in Harbour Way and King Street and is not considered to result in harm to the conservation area.

Overall, it is considered that the proposals would meet the test of Section 72 of the Planning

(Listed Buildings and Conservation Areas) Act 1990 as it would have special regard to the desirability of preserving or enhancing the character and appearance of the Emsworth Conservation area.

Conclusion

No objection

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: 9

Number of site notices: 1

Statutory advertisement: 22/04/2022

Number of representations received: 0

Comment	Officer Comment
None received	

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 Conservation Area and AONB
- (iii) Effect on neighbouring properties
- (iv) Flood Risk

(i) Principle of development

7.2 The application site is situated within the built up area of Emsworth where further development is considered acceptable subject to the usual development control criteria. Since the site lies within a Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant to the determination of this application with its duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

(ii) Impact upon Conservation Area and AONB

7.3 The proposed replacement balcony balustrade would be clear laminated toughened glass, fixed with clamps to existing posts, and would have a height of 1.1m. This would replace heavy white painted wooden horizontal balustrade and as such would be much lighter and less dominant. There are other examples of contemporary balustrading in Harbour Way and King Street, most notably number 14 Harbour Way opposite the site, and number 2.

- 7.4 Whilst it is accepted that the replacement of the balustrade at number 17 would un-balance the external appearance of the "pair" comprising 9 & 11 and 15 & 17, it would however be similar in design to others. In time it is likely that maintenance and replacement of old timber balustrading will occur throughout the cul-de-sac, and since the proposed simple glass balustrading is un-obtrusive, it would not actually harm the appearance of the host building or cul-de-sac.
- 7.5 It is considered that the simple glass design would not detract from the Conservation Area and hence would preserve its appearance. The property is set back from the water frontage with only oblique long distance views from the footpath round Slipper Mill Pond or Slipper Road to the east, such that the small scale of the proposal would be viewed against the backdrop of the existing facade and cause no harm to the landscape setting or AONB.
- 7.6 It is noted that neither the Conservation Officer or Chichester Harbour Conservancy objected to the proposal. Accordingly the proposal is considered to preserve the character of the Conservation Area and be compliant with policies CS11, CS12 and CS16 of the Havant Borough Core Strategy 2011 and policy DM20 of the Havant Borough Local Plan (Allocations) 2014, as well as H1, D1 and D2 of the Emsworth Neighbourhood Plan.

(iii) Effect on neighbouring properties

- 7.7 The size and scale of the balcony area itself is not changing and hence there would be no change to its function or usage. Accordingly the degree of potential overlooking, noise and disturbance etc would not be materially affected by the proposal and neighbouring amenity would be unchanged. It is therefore considered that the proposal complies with policy CS16 of the HBLP (Core Strategy).

(iv) Flood Risk

- 7.8 As a first floor maisonette the risk from flooding to occupiers is naturally minimised, and the small scale of development is such that it is considered the proposal will have no impact on flood risk issues.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the host building, the street scene or wider AONB, and is considered to preserve the character of the Conservation Area, 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/22/00269

(A) 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:

Heritage Statement on Councils website dated 13 April 2022

1:1250 Location Plan on Councils website dated 5 April 2022

1:200 Block Plan on Councils website dated 5 April 2022

Proposed Glass Balustrade Drawing on Councils website dated 5 April 2022

Existing/Proposed Layout of Balustrade on Councils website dated 13 April 2022

Reason: - To ensure provision of a satisfactory development.