

DELEGATED OFFICER REPORT

Site Address:	5 Westgrove Gardens, Bridge Road, Emsworth, PO10 7DR		
Proposal:	Proposed external staircase from first floor balcony to ground floor amenity area.		
Application Type:	Full Planning Permission		
Application No:	APP/24/00741	Expiry Date:	26/11/2024
Applicant:	Mr & Mrs Forfar		
Agent:	Mr Harding	Case Officer:	Robert Riley
	BH Architecture Ltd		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site comprises of a two-storey, end of terrace property which has been extended to the side at the first floor over a public right of way and modernised with wood cladding and render. The property is positioned on the corner of Bridge Road and Havant Road and just outside the boundary to the Emsworth Conservation Area.

2 Planning History

APP/21/00984 - Demolish existing first floor balcony, first floor extension, new balcony and roof conversion, PERM,09/03/2022

APP/22/00679 - Application for Lawful Development Certificate relating to single storey ground floor extension [Amended description].. PERM.28/10/2022

APP/22/00956 - Application for certificate of lawfulness relating to existing rear dormer.. WD.18/11/2022

APP/22/01167 - Retrospective application for dormer to rear elevation with obscured glazing (amendment to APP/21/00984).. PERM,13/04/2023

3 Proposal

- 3.1 Proposed external staircase from first floor balcony to ground floor amenity area.

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)

Havant Borough Local Plan (Allocations) July 2014

DM20 (Historic Assets)
AL1 (Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H2 (Buildings of Local Historic Interest)
ENP_H1 (Design & Heritage)
ENP_D1 (General Design Policy)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Conservation Officer

Site / Location

The application site comprises a two-storey, end of terrace property which has been modernised with wood cladding and render. The property is positioned on the corner of Bridge Road and Havant Road and just outside the boundary to the Emsworth Conservation Area.

Legislation

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

Planning (Listed Building and Conservation Areas) Act 1990

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.

National Planning Policy Framework (revised November 2023)

Chapter 16 of the NPPF relates to the Historic Environment including paragraphs 195 – 214. The building subject to this application is not listed but is deemed to be a non-designated heritage asset (as set out in the introduction) and therefore the following paragraphs are most relevant to the determination of this application:

Para 207 states that:

‘where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 208 requires this harm to be weighed against the public benefits of the proposed development

Para 208 states that:

'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'.

Para 209 states that:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

Havant Borough Local Plan (Core Strategy 2011 and Allocations Plan 2014)

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

Policy CS11 (4) states that planning permission will be granted for development which:

'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

Policy CP16 (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:

- 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.*

Policy DM20 (Allocations Plan) - Historic Assets

Policy DM20 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.

Emsworth Neighbourhood Plan

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 – Locally Listed Buildings

Assessment

The property has already been extended to the side and within the roof space. There is a first floor glazed balcony on the side elevation. The proposal is for a steel staircase to extend from the balcony down into the rear garden. The staircase would not be highly visible from the context of Havant Road and therefore, it would not result in harm to the setting of the Emsworth Conservation Area.

The proposal therefore meets the test set out in Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the relevant sections / policies of the NPPF and adopted Local Plan.

Conclusion

NO OBJECTION

Councillor Charles Robert

No comments received

Councillor Grainne Rason

No comments received

Councillor Reuben Mychaleckyj

No comments received

Emsworth Residents Forum

No comments received

Engineering Services, Havant Council

No drainage observations

Landscape Team, Havant Borough Council

No landscape objection.

Hampshire Countryside Planning

No comments received

Officer comment: The works would be to the side of the public right of way, and unacceptable impacts to the right of way are considered unlikely.

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: 10

Number of site notices: 1.

Statutory advertisement: Not applicable.

Number of representations received: 0

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) Appropriateness of design and impact on the character of the area and Emsworth Conservation area
- (iii) Effect on neighbouring properties
- (iv) Biodiversity Net Gain (BNG)
- (v) Flood Zone 3

- (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.

(ii) Appropriateness of design and impact on the character of the area and Emsworth Conservation area

7.3 The proposal is considered acceptable regarding the impact upon the dwelling and upon visual amenities. With regards to the proposed impact upon the Emsworth Conservation Area, it is not considered the proposed external staircase from first floor balcony to ground floor amenity area would have a harmful impact upon this character as it is considered in keeping with the surroundings and the appearance of the area. Furthermore the conservation officer stated "*The property has already been extended to the side and within the roof space. There is a first floor glazed balcony on the side elevation. The proposal is for a steel staircase to extend from the balcony down into the rear garden. The staircase would not be highly visible from the context of Havant Road and therefore, it would not result in harm to the setting of the Emsworth Conservation Area*". "*The proposal therefore meets the test set out in Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the relevant sections / policies of the NPPF and adopted Local Plan.*". In light of the nature of the works and given that the conservation officer raises no objection, officers are satisfied that the works would have an acceptable impact upon the streetscene and would preserve and enhance the special qualities of the Emsworth Conservation area and would not harm its significance and therefore accord with the requirements of policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy D1 General Design of the Emsworth Neighbourhood Plan.

(iii) Effect on neighbouring properties

7.4 Due to the nature, scale and location of the proposed works, it is not considered this proposal would unacceptably increase overshadowing or a sense of overbearing. Moreover, due to the proposed location of the external staircase, it is considered that any overlooking would be of the public realm and that otherwise there would be sufficient separation distances from neighbouring properties to prevent unacceptable impacts.

7.5 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy 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) and Policy D1 General Design Policy of the Emsworth Neighbourhood Plan. It is noted no letters of objection were received with respect to the scheme.

(iv) Biodiversity Net Gain (BNG)

7.6 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.

(v) Flood Zone 3

7.7 Due to part of the curtilage of the application site being in Flood Zone 3 a flood risk assessment form has been filled out. With regards to this, a flood risk assessment was undertaken. The form annotated that the floor levels would be set no lower than existing floor levels and that flood proofing of the proposed development has been incorporated where appropriate, given the limited nature of the development officers consider this acceptable

8 **Conclusion**

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area, and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.
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9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00741 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:

Drawing Number: PL-DWG 5: BLOCK PLAN: Uploaded 2/9/24

Drawing Number: PL-DWG 1: EXISTING FLOOR PLANS AND ELEVATIONS: Uploaded 27/9/24

Drawing Number: PL-DWG 4: PROPOSED SOUTH EAST ELEVATION AND ROOF LAYOUT: Uploaded 27/9/24

Drawing Number: PL-DWG 6: LOCATION PLAN: Uploaded 27/9/24

Drawing Number: PL REV A-DWG 3: PROPOSED FRONT AND REAR ELEVATIONS: Uploaded 1/10/24

Drawing Number: PL REV A-DWG 7: PROPOSED SITE PLAN: Uploaded 1/10/24

Drawing Number: PL-DWG 2: PROPOSED FLOOR PLANS: Uploaded 2/9/24
Flood Risk Assessment Form: Uploaded 21/11/24

Reason: To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.