

Site Address: 5 Seaview Terrace, South Street, Emsworth, PO10 7EN
 Proposal: First-floor front extension, alterations to existing fenestration, 2No. dormer windows, single-storey rear extension, new porch to west elevation, new brick wall to sea wall and new gates to bottom of existing slipway.
 Application Type: Full Planning Permission
 Application No: APP/22/00591 Expiry Date: 15/08/2022
 Applicant: Mr & Mrs Winch
 Agent: Mr Wild Case Officer: Graham Speller
 Helyer Davies Architects Ltd
 Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the Emsworth Harbour frontage and comprises a detached two storey dwelling. It is located within the Emsworth Conservation Area and the Chichester Harbour AONB. The dwelling has a distinctive catslide roof fronting onto the harbour replicating the former winkle shed design.
- 1.2 The site is adjacent to a Grade II listed building at 23 Tower Street.
- 1.3 The site is within flood zones 2 & 3.

2 Planning History

APP/14/00144 - Crown reduce 1No. Poplar by 4m to previous pollard points; within Conservation Area of Emsworth.. RNO.20/03/2014

APP/16/00415 - Listed Building Consent for additional rooflight to north elevation.,
PERM.10/06/2016

APP/16/00823 - Crown reduce 1No. Cherry tree (T5) by 2m overall. Crown reduce 1No. Tree of Heaven (T6) by 1.5m overall to prune to shape. Both trees subject to TPO 1788.. PERM.07/09/2016

APP/16/00826 - Crown reduce 3No. Ornamental Plum trees (T1, T2 and T3) by 1.5m overall and re-pollard 1No. Poplar (T4), within Conservation Area of Emsworth.,
RNO.07/09/2016

APP/21/01437 - Two storey front extension, single storey rear extension, new porch to east and west elevations. Alterations to existing fenestration and 2No dormer windows.. PERM.21/04/2022

3 Proposal

- 3.1 First-floor front extension, alterations to existing fenestration, 2No. dormer windows, single-storey rear extension, new porch to west elevation, new brick wall to sea wall and new gates to bottom of existing slipway. Solar panels are also indicated to the main roof slope facing west.
- 3.2 The proposal is a revision to permission APP/21/01437.
- 3.3 The proposal has been amended during the course of its consideration in that the windows in the north facing dormer cheeks have been omitted and a revised external store roof. Reconsultation was carried out.

4 Policy Considerations

National Planning Policy Framework 2021.
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)
CS4	()

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
DM25	(Managing Flood Risk in Emsworth)
AL1	(Presumption in Favour of Sustainable Development)
AL3	(Town, District and Local Centres)

Emsworth Neighbourhood Plan 2019 – 2036.

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

Listed Building Grade: Not applicable.
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

NO OBJECTION WITH CONDITIONS

Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered and applied by the LPA.

Conditions are to be read in conjunction with the overall recommendation and should not be separated.

Reasoned Justification

The current proposal lies inside the AONB. The proposal is within a built-up urban location within the AONB protected national landscape. 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 south facing two-storey half-hipped roof extension stepped down from the main retained building roof to the existing ground floor elevation. At first-floor there would be a projecting roofline with a bay window below overhanging the narrow on-site walkway to the seawall. At ground-floor there would be a full width bank of windows facing the seawall.

The west elevation alongside the pedestrian access (via Seaview Cottages) and slipway access off the shoreline, would have a small single-storey bay window addition under a mono-pitch roof that runs the whole width of the original two-storey building and include additional windows to the new southern extension. Solar panels are indicated to the main roof slope facing west.

The east elevation would have two dormer windows inserted into the catslide roof and a modified ground floor double gabled canopy over the altered window treatment. The north elevation would be partially enclosed with a ground floor storage structure within the boundary wall cutting. The main roof would be changed to a hipped treatment to reduce the building visual bulk.

There is unfortunately no AONB Landscape Visual Impact Statement, however the submitted Design, Access & Heritage Statement (DAHS) makes recognition of the site's location within the AONB protected national landscape. There is no detailed AONB policy approach as would be expected in such a location although a floor space and silhouette profile consideration has been made. This is a helpful assessment by the agents given the status of the AONB within the statutory planning assessment regime.

The planning history raises recent and relevant cases to the current submission. APP/21/01437 - Erection of two-storey front extension, single storey rear extension, new porch to east and west elevations, two dormer windows, roof alteration, and alterations to fenestration. CHC made fully delegated comments on 8 February 2022 raising no objection. The LPA approved the proposal on 21 April 2022. The current submission is a reduction in the profile of the earlier approval, stepping back from the seawall boundary to the south and stepping the roof dormers back from the eastern boundary. There is a slight increase to the northern boundary storage area. Overall, the current proposal is preferable to the earlier approval.

AONB PP01, PP03, PP09, Joint SPD considerations have been part of this AONB planning assessment. The proposal increases the ground floor footprint by approx.23% (new 115.6sqm from 93.4sqm). The north/south building profile silhouette is increased by approx.20% (new 59.8sqm from 45.8sqm). The east/west elevation envelope silhouette is increased by approx.13%. All increases are within the AONB PP03 guidance allowances of 50% for ground footprint increase and 25% building silhouette profile increases. The increases are less than the earlier approved scheme for similar works.

The residential domestic use of the building and site are not changed. The location of the proposal is to the south elevation (front two-storey extension), west elevation (ground floor canopy roof and bay window) and east (first floor dormer windows at two levels), with the outbuilding storage structure to the north boundary. and front roof slope (rooflights). Given the backdrop and setting of the built-up area, the works to the street scene (the seawall tidal accessible walkway to the shoreline) would be noticeable but this work would not be unduly imposing to the public realm. The new 'garden' wall on top of the seawall would be clearly noticeable but is in character and keeping of the site and the immediate surrounds ((the adjacent property 'Seaview', 23 Tower Street APP/22/00606 and APP/22/00607 LBC, to the east has submitted 'garden' wall changes to the top of the sea wall under a separate application).

The scale, structural shape, and building massing of the proposed works would have a noticeable but limited change in the visual scale/bulk/massing within the site and local area. The design and traditional form of construction is acceptable to this building. The visual appearance would not be out of place with the main works to the dwelling being proportionate and subservient to the host building. In this coastal setting the proposal is considered to have a significant visual impact on the AONB protected national landscape but is not viewed as being demonstrably harmful to the natural beauty of the AONB environment and surrounding supporting hinterland / buffer area.

The character and atmosphere / ambiance of the AONB locality is unlikely to be altered by this proposal. Internal and external illumination sources are unlikely to be an issue subject to compliance with glazing screening / window blind / light fitment cowling criteria. In matters of ecology, biodiversity, or wildlife habitat, hibernation, foraging, mating, or spawning / nesting / rearing areas, the development proposal in the AONB would be unlikely to have any identifiable harmful impact. The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection. The provision of on-site ecological enhancements, such as the provision of bat and bird boxes, hedgehog houses, etc. would be helpful in ensuring on-site wildlife is not excluded from the site. Any trees and hedges and any other green infrastructure should be retained, particularly were providing screening from surrounding external areas. There are no mitigation measures necessary in relation to this proposal.

The adopted guidance requires a clear demonstration that no harm is caused to the AONB. Taking the proposal as described, CHC has no substantive objection to the submitted physical works or operational use. The proposal is generally acceptable to the AONB and has a limited external impact to the wider AONB protected landscape subject to the glazing measures in the amended plans and details.

Conservation Officer

Legislative and Policy Context

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

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act") requires local planning authorities to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest when considering whether to grant listed building consent.

Section 66 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 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.

The need for the decision taker to attach considerable or special weight to the desirability of preserving the setting of listed buildings has been reinforced through two recent high court decisions of: Barnwell Manor Wind Energy Limited vs. East Northamptonshire District Council et al (2014); and North Norfolk District Council vs. DCLG and Mack (2014).

The above statute and its subsequent and consistent interpretation in recent high court decision emphasises the need for the policies of the NPPF to be implemented whilst always having regard to the need to give special or greater weight to the preservation of the setting of a listed building.

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.

The revised NPPF (July 2021) sets out in Chapter 16, the core principles relating to development affecting Heritage Assets that local planning authorities should consider in making planning decisions in the following paragraphs:

189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

197. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

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.

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 – Heritage Appraisals

Assessment: _

The proposal is an amended version of the scheme approved under APP/21/01437), the main change being the reduction in scale of the front facing extension. This is now described as a first-floor extension as it would build up from the existing footprint and would not project further at GF and FF, as the approved two-story extension.

Other changes include alterations to the fenestration design particularly on the south facing elevation where at GF, a wrap around glazing design is proposed with a larger, more traditional style window at FF level.

Other new windows are proposed to be aluminium framed but have also altered the glazing design to include more panes instead of one large panel of glass in each window frame. The material pallet proposed is similar to the approved scheme with the use of oak cladding, clay tiles and traditional brick.

Overall, the proposal is an improvement to the previous scheme. It proposes more interesting features and has a more traditional feel which would complement the character of the area and the adjacent listed building - 23 Tower Street. The original setting of this building has been altered significantly over time, including when the application site building was converted. The proposed alterations to the east elevation would extend towards the designated heritage asset however, the footprint would remain the same. As the extended areas would be subservient and proportionate to the scale of the main dwelling, whilst utilising appropriate materials, the works would not result in harm to the architectural significance of the listed building, or its setting (that being the front garden area) which also forms part of its significance.

On balance, it is considered that the revised scheme would not result in harm to either the conservation area or the adjacent listed building to the site.

Conclusion – No objection subject to the following conditions:

1. Notwithstanding the approved plans, the development hereby permitted shall not be commenced until detailed drawings of the new windows / door on the front elevation of the building subject to the application, have been submitted to and approved in writing by the local planning authority. The details to comprise:-

a) Plans to clearly identify the window and door in question and its location within the building. These should be cross referenced to an elevation drawing or floor plan for the avoidance of doubt.

b) 1:20 elevation and plan; 1:5 section and full size glazing bar detail. The details to include the position of the window within the opening (depth of reveal) and method of fixing the glazing (putty or beading)

c) The materials used, method of opening and finishes.

2. Material samples (oak cladding, brick and clay roof tile and details of materials to be used for the new sea wall and gates to the slipway)

The works shall be carried out in full accordance with such approvals and be retained thereafter.

Further response

Amended plans have been submitted which change the following:

-Revised external store roof.

-Windows in north facing dormer cheeks omitted.

These are considered to be minor changes and do not alter the original response dated 9/8/2022 which still stands.

As it is now less development, I would be comfortable with the updated wording to the condition.

Councillor Julie Thain-Smith

No comments received.

Councillor Lulu Bowerman

No comments received.

Councillor R Kennett

No comments received.

Countryside Access Team

No comments received.

Environment Agency

We have no objection to the proposal as submitted.

Advice to Local Planning Authority

Flood Risk Standing Advice

The proposed development falls within Flood Zone 3, which is land defined in the planning practice guidance as being at risk of flooding.

We have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us. This proposal falls within this category.

These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at

<https://www.gov.uk/guidance/flood-risk-assessment-for-planningapplications#when-to-follow-standing-advice>

We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted.

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: 18

Number of site notices: At least one site notice exists

Statutory advertisement: 22/07/2022

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 conservation area, AONB and heritage assets
- (iii) Effect on neighbouring properties
- (iv) Flood risk
- (v) Parking

(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.

7.3 The principle of the development has previously been agreed under planning permission APP/21/01437.

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

7.4 The application seeks to revise the approved scheme in that the revised design omits the front extension and proposes a first floor extension on the footprint of the existing building. This change would retain the existing building line.

7.5 The proposed dormer roofs and east projection are now hipped and the proposals continue to hip the roof away from the north boundary to improve the buildings relationship with the properties in Orange Row behind.

7.6 As noted above, the external store roof has been revised and is now lower than that previously approved and applied for.

7.7 The proposals also include raising the sea wall and the drawings are annotated showing a similar proposal to No 23 Tower Street adjacent (Ref: APP/22/00606), currently under consideration. No objections have been raised by the conservation officer to this element and it is noted that the sea wall height varies between properties facing the sea.

7.8 It is noted that the conservation officer considers that the revised scheme would not result in harm to either the conservation area or the adjacent listed building to the site. It is also noted that the Chichester Harbour Conservancy also raise no objections to this revised scheme.

7.9 The design and appearance of the revised proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.10 Whilst a number of objections were raised to the original scheme, subsequently granted planning permission, no representations have been received regarding the current proposals.
- 7.11 The revised proposals reduce the scale and massing of the proposals and also reduces the height of the store building to the rear.
- 7.12 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the revised scheme.

(iv) Flood risk

- 7.13 The site is within flood zones 2 & 3. A flood risk statement has been submitted which is considered proportionate to the scale of the proposed development. This states, inter alia, that no change is proposed to the existing levels of the dwelling and that the ground floor level of the proposed extensions is to match the existing ground floor level and are therefore not at any greater risk of flooding.

(v) Parking

- 7.14 The property currently has 5 bedrooms that would reduce to 4 as a result of the development. There is currently an integral garage, however, access is difficult, and it would only be accessible at low tide and accessed via a slipway. This garage would be lost as a result of the development, however, due to the difficulty in accessing the garage at all times and the parking provision in the locality, it is considered that this is not a determining issue in this instance.

8 Conclusion

- 8.1 The scale, siting and design of the revised proposal would have limited and acceptable impact on the neighbours and the character of the conservation area, AONB and heritage assets 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/22/00591 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:

20101-02 REV C – AMENDED PROPOSED PLANS AND ELEVATIONS

20101-03 REV B – AMENDED PROPOSED STREET SCENE

20101-05 - PROPOSED SEA WALL DETAIL

FLOOD RISK STATEMENT

DESIGN ACCESS AND HERITAGE STATEMENT

ADDITIONAL INFORMATION - PLANNING HISTORY STATEMENT

Reason: To ensure provision of a satisfactory development.

- 3 Notwithstanding the approved plans, no development above damp proof course (DPC) level shall take place unless and until detailed drawings of the new windows / door on the front elevation of the building subject to the application, have been submitted to and approved in writing by the local planning authority. The details to comprise:-

- a) Plans to clearly identify the window and door in question and its location within the building. These should be cross referenced to an elevation drawing or floor plan for the avoidance of doubt.
- b) 1:20 elevation and plan; 1:5 section and full size glazing bar detail. The details to include the position of the window within the opening (depth of reveal) and method of fixing the glazing (putty or beading)
- c) The materials used, method of opening and finishes.
- d) Material samples (oak cladding, brick and clay roof tile and details of materials to be used for the new sea wall and gates to the slipway)

The works shall be carried out in full accordance with such approvals and be retained thereafter.

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 2021.

- 4 The development hereby permitted shall have no windows or other openings inserted into the north elevation at first floor level, unless planning permission has first been granted by the Borough Council.

Reason: To preserve the reasonable privacy of neighbouring residents in accordance with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2021.