

APP/22/00730 - Listed Building Consent for a single storey infill extension to rear and Juliet balcony to rear. Alteration and replacement of modern fenestration with replacement aluminium windows and doors. Installation of photovoltaic panels

3 Proposal

Single storey infill extension to rear and Juliet balcony to rear. Alteration and replacement of modern fenestration with replacement aluminium windows and doors. Installation of photovoltaic panels

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))
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
AL3	(Town, District and Local Centres)
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)

Listed Building Grade: Grade 2
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

Summary Conclusion The visual impact of the physical structure on the AONB protected national landscape

The adopted guidance requires a clear demonstration that no harm is caused to the AONB. Taking the proposal as described, given the backdrop and setting of the site and surrounds, the works are considered to have an unobtrusive if not sympathetic

visual impact on the site, and to external views and would not be unduly imposing to the public realm.

CHC has no substantive objection to the submitted physical works / operational use. The proposal is not viewed as being demonstrably harmful to the natural beauty of the AONB environment and surrounding supporting hinterland / buffer area. The external impact to the wider AONB protected landscape is limited and therefore generally acceptable to the AONB protected national landscape.

Conservation Officer

Background The application site comprises a late C18 cottage located on South Street in the Emsworth Conservation Area. The property is known as Oyster Cottage and is Grade II listed. It was a former fisherman's cottage so is simple in its vernacular form, built of brick with a clay tile roof.

To the rear is modern (1970's), two-storey extension with a variety of window designs at both ground and first floor levels.

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

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.

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.

Policy CS16 (1a) of the Core Strategy states 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 development proposals must conserve and enhance the historic assets of Havant.

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

Proposal:

'Single storey infill extension to rear and Juliet balcony to rear. Alteration and replacement of modern fenestration with replacement aluminium windows and doors. Installation of photovoltaic panels'

Assessment of proposal

The proposed works are limited to the rear extension which is clearly a modern addition and not in keeping with the historic character of the historic front section of the cottage. The proposal to replace the existing windows in the modern part of the building with aluminium framed glazing is considered to be a visual improvement and will provide a uniformity across the rear elevation. The rear section of the adjacent commercial building forms the side boundary of the garden and the proposed windows would be more in keeping with this setting.

The proposed photovoltaic panels would be positioned on the flat section of roof on the rear extension. Due to the roof design which creates a parapet around the edge, the panels would be concealed from view. For this reason, the impact on the listed building would be negligible.

Overall, it is considered that the proposal would not result in harm to the significance of the listed building, or the wider conservation area.

Conclusion – No objection

Historic England

On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions

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: 8

Number of site notices: 1

Statutory advertisement: 02/09/2022

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 Listed Building, Conservation Area and AONB
- (iii) Impact upon neighbouring amenity

- (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 material considerations. Since the site lies within a Conservation Area and affects a Listed Building, Section 66 and 72 of the

Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant to the determination of this application requiring special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest, as well as the desirability of preserving or enhancing the character or appearance of a conservation area.

(ii) Impact upon Listed Building, Conservation Area and AONB

- 7.3 The impact of the proposals on the character and appearance of the Listed Building has been carefully assessed by the Councils Conservation Officer who has no objection to the proposal. The existing rear extension is not in keeping with the historic character of the cottage, but cannot be seen from any public vantage point. The enlargement of the footprint of the ground floor 1970's extension, to match the first floor above, would have no impact on the historic core of the building. The enlarged elevations are shown as painted brickwork to match.
- 7.4 The replacement of the windows, including increasing the opening on the rear elevation to create a Juliet balcony, with aluminium crittal style windows would provide consistency across the rear windows which would also blend with the industrial style windows in the adjacent warehouse. Since they are not visible from the Conservation Area and the front windows within the LB would remain unaltered, then there is no objection to this change in rear fenestration detail. Whilst CHC have noted measures to limit light pollution should be considered, as a site within the town centre, and with only modest alterations to an existing extension, this is not considered justified or necessary.
- 7.5 The proposed photovoltaic panels would be sited on the flat roof of the existing mansard style roof, which has a slight parapet surround. Therefore the photovoltaic panels would not be visible from the public realm and have no adverse impact on the historic core of the LB, appearance of the Conservation Area or AONB.
- 7.6 Overall the proposed modest ground floor infill extension, window alterations and use of photovoltaic panels, are deemed appropriate in context to the host Listed Building, with no substantial or less than substantial harm to the Listed Building, and would preserve the setting of the Conservation Area and not result in any harm to the character of the AONB. The proposal is therefore considered to be acceptable, meeting the requirements of Policies CS11, CS12, and CS16 of the HBLP (Core strategy); policy DM20 of the HBLP (Allocations) and the design policies within the Emsworth Neighbourhood Plan.

(iii) Impact upon neighbouring amenity

- 7.7 As originally proposed the existing two high level windows in the south, side elevation were to be enlarged with dropped cill line. However, following an internal inspection, it was considered that the lowering of the cill level would have enabled clearer views out across the private rear garden of number 41 to the south, with resultant loss of privacy, harmful to neighbouring amenity. At their existing raised cill level, the views out are limited to a tall person only and oblique across to the far boundary wall only, with no direct view down to the garden. Therefore amended plans have been submitted retaining these side windows at their existing size and cill line, just with renewed aluminium crittal frames to match the remainder of the rear. On this basis it is considered the existing level of privacy and amenity enjoyed by the occupiers of number 41 would be maintained.

- 7.8 The proposed Juliet opening in the rear elevation would have no adverse impact as the rear courtyard garden is totally enclosed and the windows in the building to the north serve a warehouse store and are not habitable rooms. Consequently, it is considered that the revised plans will not lead to overlooking 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). It is noted no letters of objection were received with respect to the scheme.

8 **Conclusion**

- 8.1 The proposed modest ground floor extension, replacement windows and photovoltaics, are considered appropriate to this already modernised Listed Building and would not cause any harm to the historical significance of the building, and would preserve the appearance of the Conservation Area and AONB. The amended plans would not result in any adverse impact on neighbouring amenity and therefore the proposal is considered to be appropriate and recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00729 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:

Site Location and Block Plan - Drawing Number 000
Existing and Proposed Elevations Drawing Number 102 Rev1
Existing and Proposed Ground Floor Plan - Drawing Number 100
Existing and Proposed First Floor Plan - Drawing Number 101
Existing and Proposed Section - Drawing Number 103
Heritage Statement by Manorwood dated July 2022
Materials Schedule - Drawing Number 200

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, unless otherwise agreed with the Local Planning Authority in writing.
Reason: To secure a satisfactory and sympathetic form of development and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.