
Site Address:	7 Queen Street, Emsworth, PO10 7BJ		
Proposal:	Single storey rear extension.		
Application Type:	Full Planning Permission		
Application No:	APP/22/00987	Expiry Date:	07/12/2022
Applicant:	Mr & Mrs Crick		
Agent:	Mr Hunt	Case Officer:	Graham Speller
	Helyer Davies Architects Ltd		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the south eastern side of Queen Street within the Emsworth Conservation Area and is occupied by an end of terrace, two storey property with rooms in the roof which is Grade II listed.
- 1.2 The surrounding area is mixed in character with residential and commercial buildings.

2 Planning History

01/54973/002 - Listed Building Application for replacement bay window with French doors to rear of property., PERM,14/09/2001

96/54973/001 - Listed Building Application for the retention of 3 replacement casement windows on west elevation and 2 replacement sash windows to dormers on north elevation, PERM,07/01/1997

90/54973/000 - Remodelling existing dormer window in rear (south) roof slope., PERM,

05/54973/003 - Single storey rear extension. Increase in size of existing single parking space., PERM,15/08/2005

05/54973/004 - Listed Building Consent for single storey rear extension. Increase in size of existing single parking space., PERM,15/08/2005

06/54973/005 - Listed Building consent for minor alterations to party wall pursuant to permission 05/54973/004 to extend existing building., PERM,10/07/2006

APP/21/01100 - Proposed rear fenestration alterations; lowering of existing basement floor level; installation of solar panels., PERM,18/11/2021

APP/21/01101 - Listed building application for internal alterations; proposed rear fenestration alterations; lowering of existing basement floor level; installation of solar panels., PERM,18/11/2021

APP/22/00988 - Listed building consent for single storey rear extension., under consideration.

3 Proposal

3.1 Single storey rear extension.

4 Policy Considerations

National Planning Policy Framework 2021

Havant Borough Council Borough Design Guide SPD December 2011

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)

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 2019 - 2036

- 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 and the finished appearance, and measures to limit light pollution within the Dark Skies protocol, should be considered and applied by the LPA.

Submitted Details and AONB supporting documents

The current proposal is within a built-up settlement location within the AONB protected national landscape. The proposed works lie wholly within the site. The works / alterations are assumed to require detailed town planning approval of the LPA. The site does not have a coastal boundary.

The proposal seeks a shallow pitch ground floor extension to the western boundary wall to provide a downstairs toilet w.c. This would be recessed into the junction of the covered passageway to the side of the house and the boundary.

Unfortunately, there is no submitted AONB Landscape Visual Impact Statement (LVIS), although this would be a welcome provision of the LPA Local Validation List. There is no reference to para 172 of the NPPF; the AONB Management Plan Policy approach; the specific AONB Planning Principles applicable, or the Joint Chichester Harbour AONB Supplementary Planning Document. There is no valid attempt made to place the proposed works as being acceptable within the AONB setting.

The main AONB protected landscape planning assessment issues for this site relate to the following considerations.

1. Relevant and/or recent planning history implications for the proposal _

The planning history raises no recent and relevant case to the current submission.

2. The principle of the use and activity of the development to the AONB locality

The use of the host building and site are not changed.

3. The locational positioning and layout arrangement _

The proposal is in a built-up settlement setting of the AONB protected national landscape. The location of the proposed works are positioned to the western rear side of the end terraced house. The on-site works would be unlikely to be visible from surrounding public vantage points.

4. Consideration against the relevant AONB Planning Principle guidance

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

5. The proposed physical scale, structure bulk and perceived massing _

The scale, structural shape, and building massing of the proposed works would be proportionate and generally complementary to the host building when viewed from private and public vantage points. The scale of the works to the building would be visually noticeable within the site and to the immediate surroundings. There would not be a significant change or dominant visual impact to the wider environment of the AONB protected national landscape area.

6. The architectural design, structural character, visual appearance & finished treatment _

The design and appearance of the works are traditional in style and form. The design is appropriate for an extension and in-keeping. Architecturally the design elements are complementary to the site. The appearance is homogenous, in-character, and sympathetic. Construction materials are indicated to follow those on the host building. The visual appearance would not be out of place in this location.

7. The impact on the tranquillity and environmental character of the AONB landscape

The character and atmosphere / ambiance of the AONB locality is unlikely to be altered substantially by this proposal. Internal and external illumination sources are unlikely to be an issue subject to being in full compliance with glazing screening / window black-out blind / light fitment cowling criteria, and arguably would be lost amongst the light illumination generated from this site and surrounds.

8. Biodiversity, ecology, wildlife, environmental quality and any disturbance mitigation

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 where providing screening from surrounding external areas. There are no mitigation measures necessary in relation to this proposal.

Summary Conclusion

The visual impact of the physical structure on the AONB protected national landscape should adhere to the adopted guidance which requires a clear demonstration that no harm is caused to the AONB. Taking the proposal as described, given the setting of the site and surrounds, the works are considered to have a modest, and sympathetic visual impact on the site. Any external views would be limited due to on-site positioning, and therefore the works would not be unduly imposing or obtrusive to the public realm and the wider AONB protected national landscape.

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

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 to construct a small, lean-to style extension at the rear of the existing utility room to provide a small wc. It would comprise brickwork to match that on the existing utility room and a lead roof. It would feature a new door and 2no. windows.

Overall, it is considered that these works will not harm the historical or architectural significance of the designated heritage assets, those being No. 7 Queen Street and the Emsworth Conservation Area. As such, no objection is raised to the applications.

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 / doors have been submitted to and approved in writing by the local planning authority. The details to comprise:-
 - a) Plans to clearly identify the window 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) if applicable
 - c) The materials used, method of opening and finishes.
2. Standard material samples to be submitted / agreed

Councillor Julie Thain-Smith

No comments received.

Councillor Lulu Bowerman

No comments received.

Councillor R Kennett

No comments received.

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: 04/11/2022

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) Impact on heritage assets
- (iii) Appropriateness of design and impact on the character of the conservation area/AONB
- (iv) Effect on neighbouring properties

(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) Impact on heritage assets

7.3 Policy CS11 of the Core Strategy 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”.

7.4 Policy CS16 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.”

7.5 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.

7.6 Policy H1 of the Neighbourhood Plan states, inter alia, that any new development or alteration that affects or has the potential to affect a heritage asset will be required to conserve or enhance the significance of the heritage asset.

7.7 In terms of the impact of the proposals on the heritage assets, the conservation officer has provided comprehensive comments, and for brevity, will not be repeated but are set out within the consultation response set out above.

7.8 The conservation officer comments that overall, it is considered that these works will not harm the historical or architectural significance of the designated heritage assets, those being No. 7 Queen Street and the Emsworth Conservation Area. As such, the conservation officer raises no objection to the proposal and the proposal is considered to preserve the Conservation Area.

(iii) Appropriateness of design and impact on the character of the conservation area/AONB

- 7.9 The design and appearance of the 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 including the Conservation Area.
- 7.10 The site is located within Chichester Harbour AONB, however, given the position of the building within the built up area, and the limited scale of development the proposal is considered to have a limited and acceptable impact on the character and appearance of the AONB.

(iv) Effect on neighbouring properties

- 7.11 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 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 scale, siting and design of the proposal would have limited and acceptable impact on the heritage asset, the character of the conservation area, the character and visual amenities of the AONB and neighbours 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/22/00987 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:

21093-002 REV A - PROPOSED FLOOR PLANS, ELEVATION, SECTION & SITE / BLOCK PLAN

DESIGN AND ACCESS & HERITAGE STATEMENT

Reason: To ensure provision of a satisfactory development.

- 3 Notwithstanding the approved plans, the development hereby permitted shall not be commenced until detailed drawings of the new windows / doors have been submitted to and approved in writing by the local planning authority. The details to comprise:-
- a) Plans to clearly identify the window 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) if applicable.
 - c) The materials used, method of opening and finishes.

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

Reason: To ensure the appearance of the development is satisfactory and in order to safeguard the building's special architectural and historic interest and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Adopted Allocations Plan 2014, policies H1, H2 & D1 of the Emsworth Neighbourhood Plan and the National Planning Policy Framework 2021.

- 4 No work shall commence until samples and/or full specification/webpage link of all materials (including external finishes/colours) have been submitted to and approved in writing by the local planning authority and thereafter carried out in full accordance with such approval. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and in order to safeguard the building's special architectural and historic interest and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Adopted Allocations Plan 2014, policies H1, H2 & D1 of the Emsworth Neighbourhood Plan and the National Planning Policy Framework 2021.