

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)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

E1* (High quality design)
E13 (Historic environment and heritage asset)

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

Thank you for consulting The Chichester Harbour Conservancy concerning the above planning submission. The Conservancy is a non-statutory consultee.

CHICHESTER HARBOUR CONSERVANCY

The Conservancy was established by the Chichester Harbour Conservancy Act of 1971 with responsibility for navigation and the conservation of nature. The Countryside and Rights of Way Act of 2000 formally established the Conservancy as the Joint Advisory Committee for the AONB, with the purpose to conserve and enhance the natural beauty of the landscape.

Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (Section 85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

CHICHESTER HARBOUR AREA OF OUTSTANDING NATURAL BEAUTY (AONB)

The landscape of Chichester Harbour was recognised as nationally important when it was designated as an Area of Outstanding Natural Beauty (AONB) in 1964, through the National Parks and Access to the Countryside Act of 1949.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty.

Proposals impacting on the AONB are subject to more stringent planning guidance to

ensure that development respects and enhances the inherent qualities of such a sensitive location. Proposed development must be assessed carefully to consider if it would have a significant impact on or harm that statutory purpose.

PLANNING ASSESSMENT SCOPE

Consultations on development proposals within, or outside but impacting on, the AONB would be considered against the AONB Planning Guidance and Principles (see below), the planning history record, the architectural design and appearance, and the landscape character and setting of the red-line site, any blue-line area, and the surrounding location. In considering the implications and impacts within, or to, the AONB protected national landscape, the exterior works and land use implications that affect the appearance and character of the of the location, the site and any buildings within the surrounding setting are assessed in the appraisal.

Planning 'Permitted Development' allowances do not apply within an AONB. 'Permitted Development' works therefore require a planning application to be submitted to the Local Planning Authority for formal consideration.

In its role in managing the Chichester Harbour Area of Outstanding Natural Beauty (AONB), The Conservancy considers proposals against the Conservancy's planning guidance and principles - including The Chichester Harbour Management Plan (2019-2024), The Chichester Harbour Planning Principles (Management Plan version April 2019), The Chichester Harbour AONB Landscape Character Assessment (CBA update 2019), and The Chichester Harbour AONB Joint SPD (May 2017), adopted by both Havant Borough Council and Chichester District Council.

SUBMITTED PLANNING PROPOSAL

The current proposal lies inside the AONB. The proposal is located within a built-up urban location within the AONB. The proposed works may likely (subject to overall size) have been considered as 'permitted development' other than the location being within the AONB. The proposed works comprise alterations that require detailed approval of the LPA.

The proposal is for the re-fenestration of part of the single-storey rear addition to the original building. This involves additional areas of glazing to the addition elevation facing back into the garden and rear of the original building. The works lie wholly within the site, positioned to the south elevation to the rear domestic garden amenity area. The proposal would not be noticeable from the public highway or other public vantage points. In addition, internal works within the building, including the lowering of part of the basement floor level are indicated as part of the engineering works requiring planning permission.

ASSESSMENT CONSULTATION CONCLUSION

Given the backdrop and setting of the built-up area, the works to the street scene would not be noticeable or in any way imposing. The relatively small scale of the proposed works would have a visual impact within the site, but only a minimal visual appearance within the local area. In this setting 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, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.

OTHER MATTERS

The planning application will be considered by the LPA in terms of other aspects applicable to the planning merits of the proposal, such as overlooking impact to neighbouring property and spaces, perceived loss of privacy, equated loss of light and cause of shadowing, noise generation and disturbance, traffic generation and on-site parking provision, and in terms of overall good building design and land-use neighbourliness. Such matters are not normally commented on by Chichester Harbour Conservancy.

Councillor Julie Thain-Smith

No comments received.

Councillor Lulu Bowerman

No comments received.

Councillor R Kennett

No comments received.

Developer Services, Southern Water

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer.

The design of the proposed basements and on-site drainage system should consider the possibility of surcharging within the public sewerage system in order to provide adequate protection to basements from the risk of flooding.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Conservation Officer

The Site

The application site is a late C18, end of terrace, 3-storey property which is Grade II listed and located on Queen Street in the Emsworth Conservation Area. The building has previously been extended at the rear with a glazed, pitched roof extension. To the rear of this is a walled rear garden. The house is arranged over 4no. floors including the basement, which currently has a lowered head height.

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.

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.

Historic England Advice

In addition to the advice laid out in the NPPF, Historic England has published planning advice in the form of Good Practice Advice Notes (GPA's) and Historic England Advice Notes (HEANs). Most relevant to this application will be GPA2 – Managing Significance in Decision Taking in the Historic Environment.

GPA2 states at paragraph 4 - 'The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest'. It also advises that an assessment of significance is required as part of the application process including the understanding of the nature of the significance, the extent of that significance and level of significance. Paragraph 11 states 'to accord with the NPPF, the application will need to undertake an assessment of significance to inform the application process an extent necessary to understand the potential impact (positive or negative) of the proposal and the level of thoroughness proportionate to the relative importance of the asset whose fabric or setting affected'.

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.

Emerging Policy E13 from the Draft Local Plan 2036 provides similar advice to existing Policy CS11, but also adds that where harm cannot be avoided, mitigation may be proportionate to the impact and the significance of the heritage assets and fully

incorporated into the development proposals.

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:

The proposal includes:

- Internal alterations
- Lowering of part of basement floor
- Alterations to rear fenestration

It is proposed that the existing basement floor within the first smaller section of the basement, is to be excavated and the floor level dropped to provide additional head height within this area, allowing the space to become functional. The area to the left-hand side of the stair will be converted into a new WC and store, whilst the main basement area will remain as existing. The area of the basement in which the floor is dropped, the basement will be tanked. The existing stair is to be extended. To the rear of the house there is a reduced height void below the ground floor. It is proposed that additional structural support be incorporated within this area to help support the existing ground floor above.

This element of the proposal has been amended since the pre-application enquiry which proposed to lower and tank the whole basement area. Concerns were raised with this and therefore the proposal has been reduced to only a small part of the basement. Overall it is considered that this will not result in harm to the significance of the heritage asset in this area of the building as the large majority of the basement and its original hearth opening will remain unaltered.

Assessment:

The application includes a Heritage Statement which is very limited in detail. Furthermore, the plans provided are poor in quality. However, technical specifications have been provided and given the small scale of the proposed development (i.e., one roof light window), it is considered that there is sufficient information to assess the proposal fully.

The proposed window would be set within the thatched roof and feature a mini eyebrow detail to match that of the dormer extension. The window would be constructed from timber and include a pivot opening style. Overall, it is considered that the window would not detract from the traditional appearance of the thatched roof and the additional detailing above would match well with the existing dormer. The significance of the designated heritage asset would not be harmed.

The proposed works to the ground floor, first floor and second floor as set out in the combined D&A and Heritage Statement submitted with the application, are not considered to result in harm to the architectural and historical significance of the designated heritage asset. This includes the replacement roof lights to the utility area, the type and manufacturer of which are specified.

The proposal also includes the installation of solar panels to be located within the roof valley. Subject to further details being submitted showing final design, these are not considered to result in harm to the heritage asset.

Overall, the proposals are not considered cause harm to the significance of the designated heritage asset, or the Conservation Area and are in accordance with the relevant legislation and national and local planning policies.

Conclusion – No objection subject to the following condition: _

1. Details of solar panels (detailed plan showing how these will be attached to the existing roof, materials and finish) to be provided and agreed prior to installation.

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: At least one site notice exists

Statutory advertisement: 22/10/2021

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
 - (iv) Impact upon residential amenity
- (i) Principle of development
- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual 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 Emerging Policy E13 from the Draft Local Plan 2036 provides similar advice to Policy CS11 but also adds that where harm cannot be avoided, mitigation may be proportionate to the impact and the significance of the heritage assets and fully incorporated into the development proposals.
- 7.7 The Emsworth Neighbourhood Plan has now been formally adopted by the Council.
- 7.8 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.
- 7.9 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.
- 7.10 In conclusion, the conservation officer considers that overall, the proposals are not considered to cause harm to the significance of the designated heritage asset, or the Conservation Area and are in accordance with the relevant legislation and national and local planning policies.

(iii) Appropriateness of design and impact on the character of the Conservation Area

- 7.11 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.

(iv) Impact upon residential amenity

- 7.12 It is considered that the proposals will not adversely impact upon the residential amenities of adjacent properties 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 alterations are primarily within the existing building and it is considered that the works would have limited and acceptable impact on the heritage asset, the character of the conservation area and visual amenities of the street scene and neighbouring properties 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/21/01100 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:

21093-01 - LOCATION AND BLOCK PLAN / EXISTING PLANS AND ELEVATIONS

21093-02 REV G - PROPOSED PLANS ELEVATIONS AND SECTIONS / FENESTRATION AND INTERNAL DETAIL PLANS

21093-02 REV H - PROPOSED ELEVATIONS SECTION SITE & BLOCK

Reason: - To ensure provision of a satisfactory development.

- 3 Details of the solar panels (detailed plan showing how these will be attached to the existing roof, materials and finish) shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in accordance with the approved details.

Reason: To ensure the appearance of the development is satisfactory and having due regard to the listed building and having regard to policies CS11 & CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2021.