
Site Address:	Seafield House, 7 Kinnell Close, Emsworth, PO10 7HF		
Proposal:	New and replacement fencing fronting Havant Road; garage/store extensions and alterations; provision of woodburner and external flue in orangery; satellite dish installation.		
Application No:	APP/21/01256	Expiry Date:	16/02/2022
Applicant:	Mrs A Spence		
Agent:	Miss E Knight	Case Officer:	Selina Donophy
	Helyer Design Architects		
Ward:	Emsworth		

Recommendation: **REFUSE PERMISSION**

1 Site Description

Seafield House is a Grade II listed building in residential use. It is located in Kinnell Close (No. 7) which is a cul-de-sac of modern style housing built around Seafield House. The house is located immediately adjacent to Havant Road and has a listed brick wall which forms part of the boundary with Havant Road however, it is accessed from Kinnell Close. During the 1970's Seafield House was subdivided into two dwellings. The principal elevation with the curved bay windows and veranda belongs to Seafield House and Little Seafield (No. 6 Kinnell Close) is located to the west of the Seafield House. This property has its own entrance from Kinnell Close and front garden / driveway located on the south elevation.

Seafield House has a detached, flat roof garage / car port located to the east of the house. The small section of land between the garage and the boundary with Havant Road has recently been infilled to form a storage area. The north boundary of this fronts onto Havant Road and has been constructed of horizontal wooden fencing at a height of approx. 3.5-4m. Previously this boundary formed a low brick wall with planting above.

Part of the wall fronting Havant Road features a curved brick wall. This wall forms part of the listing of Seafield House. To the rear of the section wall which curves down is a north facing bay window, serving one of the primary ground floor windows. A horizontal wooden fence panel has been erected on the curved section of the wall.

On the south elevation of Seafield House, there is an 8.5m (approx.) length conservatory / orangery structure. The west elevation of this is formed by a brick wall which forms the boundary with Little Seafield (apart from a small, paved section which is delineated by a low brick wall). The roof and east elevation of the conservatory are glazed. A flue has been erected on the west elevation which extends up by 3.2m and adjacent to this, a black satellite dish has been erected.

2 Planning History

APP/21/01444 - Listed building consent for new and replacement fencing fronting Havant Road; garage/store extensions and alterations; provision of woodburner and external flue in orangery; satellite dish installation., DEL,

3 Proposal

New and replacement fencing fronting Havant Road; garage/store extensions and alterations; provision of woodburner and external flue in orangery; satellite dish installation.

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)

Submission Version Havant Local Plan

E1* (High quality design)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H1 (Design & Heritage)
ENP_D1 (General Design Policy)
ENP_D2 (Height, Mass & Materials)
ENP_D3 (Layout, Form & Density)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Julie Thain-Smith

No comment

Councillor Lulu Bowerman

No comment

Councillor R Kennett

No comment

Developer Services, Southern Water

It appears that the developer is intending to build-over a public surface water sewer which is crossing the site. Building over a "public sewer" is not normally permitted by Southern Water. An investigation of the sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building-over the sewer.

The length of sewer to be built over under the terms of Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker, which in this case is Southern Water. The conditions and application associated with the build-over a public sewer are available at Southern Water's Get Connected service: developerservices.southernwater.co.uk

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.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; Prior to the commencement of development, the developer must advise the local authority, in consultation with Southern Water, of measures which will be undertaken to protect the public sewers.

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

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here:

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing,

West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at:

SouthernWaterPlanning@southernwater.co.uk

Case Officer comment : Southern Water have been notified that the works are retrospective and have taken place .

Environmental Health Manager, Community Group

I have perused the enclosed plans / documentation provided by the applicant. It has been ascertained that the flue is already in existence & is to serve a new wood / log burner installation, in the existing conservatory. Based on the current positioning and height of the flue, there is potential for smoke nuisance and recurrence of same, to neighbouring properties.

If consent is to be granted on this application, I would ask that the following informative be added to any positive Decision notice.

Informative regarding wood burning or multi-fuel stoves / appliances:

You are hereby advised that whilst no smoke free zones currently exist within the Havant borough, this does not relieve operators / owners of wood burning or multi-fuel stoves / appliances, from ensuring that they do not cause nuisance to other residents within their neighbourhood. If you are unsure as to what your position would be in relation to existing legislation such as the Environmental Protection Act 1990 or the Clean Air Act 1993, it is recommended you contact the Environmental Health Pollution team, at Havant Borough Council.

This is in order to protect the occupants of nearby residential properties from smoke nuisance, and also the wood burner / stove owners from potentially breaching current legislation.

Case Officer comment : Further comments following submission of amended plans

With regard to the proposed alternative position for the stove & flue i.e. now against the wall of the main house & rising above the gutter line, there remains the potential for smoke nuisance and my comments would remain as previously:

"If consent is to be granted on this application, I would ask that the following informative be added to any positive Decision notice.

Informative regarding wood burning or multi-fuel stoves / appliances:

You are hereby advised that whilst no smoke free zones currently exist within the Havant borough, this does not relieve operators / owners of wood burning or multi-fuel stoves / appliances, from ensuring that they do not cause nuisance to other residents within their neighbourhood. If you are unsure as to what your position would be in relation to existing legislation such as the Environmental Protection Act 1990 or the Clean Air Act 1993, it is recommended you contact the Environmental Health Pollution team, at Havant Borough Council.

This is in order to protect the occupants of nearby residential properties from smoke nuisance, and also the wood burner / stove owners from potentially breaching current legislation."

Heritage Officer

In regards to local planning policy, the following are relevant:

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.

Policy CP16 (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.

Assessment:

The works to the listed building have already been carried so are technically unlawful. The separate works will be assessed in turn below.

1. Extension to garage and new fence onto Havant Road

The rear elevation of the garage extension is adjacent to the section of wall which is listed and specifically referred to in the listing of Seafield House. It has been constructed of a softwood material (maybe larch or pine). The pallette of materials along the section of the wall stretching from the corner of Lands End Drive to the rear of the now extended garage, comprises a historic brick wall, stone entrance gate and then a lower height flint brick wall up to the point the garage is situated.

Looking back at historic street map images, in July 2019, the section of boundary to the rear of the garage comprised a low-level vertical timber fence panel with soft landscaping above, which sat adjacent to a large tree within the Seafield House grounds. Since then, the low-level fence has been

replaced with a breeze block wall, clad in horizontal timber cladding which extends up to the height of the wall which forms the side / rear of No. 1 Kinnell Close.

Unfortunately, the materials (softwood cladding) used bear no resemblance to either the historic flint wall to the immediate west, or the more modern brick wall to the east. As such, this section of new fencing appears highly incongruous within the Havant Road streestcene. Whilst this alone is not a listed building consideration, as the section of fencing is attached to the listed wall and forms part of the boundary to a designated hertiage asset, it is considered that it results in less than substantial harm to the historic and architectural significance of this wall within its frontage setting on Havant Road. I feel that much more careful consideration needs to be given to the type of material used and the design, in how this relates to the listed wall and the hertiage asset of Seafield House.

2. Fencing on listed wall fronting onto Havant Road

A contemporary style softwood (perhaps larch) fence panel has been erected within the curved section of the listed wall. The reason given for the erection of the fence panel is that protection was / is required for the bay window which sits behind the wall. The curved section of wall is directly in front of the bay window, to allow views outwards onto Havant Road and a provide a view of the bay window which is an important feature of the house.

The contemporary fence panel is completely out of keeping with the character of the main house and the listed wall. It also obscures the view of the bay window and decorative veranda detail which are an important feature of the hertiage asset. It is considered to result in less than substantial harm to the listed house and wall.

3. Erection of metal flue on conservatory

The Hertiage Statement (HS) advises that the conservatory does not form part of the main listing. Whilst it is not specifically referred to in the listing description, it is however covered by the listing designation and as such, the works require listed building consent.

The flue which has been erected comprises a very shiny metal finish /material. It extends to a height of 3.5m from where it is attached to the wall. It is located adjacent to a small concrete chimney stack which from historic photos, appeared to once have a small black chimney pot.

Whilst there may have been a small block chimney pot in situ adjacent to the site of the new flue, the new flue bears no relation to that of a traditional chimney stack, not does it make use of the existing chimney. It involves a large, shiny metal structure which protrudes from the conservatory. It has a very modern appearance which is completely out of keeping with the historic character of Seafeld House (no. 7 Kinnell Close), which is characterised by its decorative trellis veranda and bay windows. The adjacent, attached property which used to form part of the main house (now No. 6 Kinnell Close), is also Grade II listed. The flue sits approx. 6m south of the front elevation of No. 6. This property features front facing, single glazed sash windows and a terraced level front garden. The flue which sits at the front of the boundary, forms a highly incongruous feature which is completely out of character with the listed building to its rear.

I note that there is a proposal to paint the flue black. Whilst this would 'tone down' the shiny appearance, it would still form an alien feature which detracts from the architectural significance of both Seafeld House and Little Seafeld and is considered to result in less than substantial harm.

4. Erection of satellite dish on conservatory

The satellite dish has been erected adjacent to the flue. Whilst not as visually obtrusive as the flue, it has been positioned in a highly visible location on the building with no attempt to conceal the metal fixings. As with the flue, it sits forward of the frontage of Little Seafeld and detracts from its architectural significance when viewed from Kinnell Close. It is also considered to result in less than significant harm but at a lower level than the flue.

Conclusion

All the retrospective works which have been carried out are considered to result in less than substantial harm (as defined by the NPPF) to the historic significance of Seafeld House. Both the flue and the satellite dish are considered to result in less than harmful significance of Little Seafeld.

The NPPF advises that (para 202):

'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'.

It is my view that there are no public benefits arising from the works which outweigh the harm caused.

As such, the applications are recommended for refusal. It is also advised that the unauthorised works (flue satellite dish and fence panel) are removed within a specified timescale. There may be some scope to improve the north elevation of the garage extension however, I feel this will need to be submitted in a separate application.

RECOMMENDATION - REFUSE LISTED BUILDING CONSENT

Case Officer comment : Further comments made by Conservation Officer following submission of amended plans

Heritage Team Response

Date – 17/2/2022

APP/21/01256 & APP/21/01444 – Seafield House, 7 Kinnell Close, Emsworth .

UPDATED RESPONSE BASED ON AMENDED PLANS RECEIVED ON 10/2/2022

THE ORIGINAL RESPONSE WHICH REFERS TO THE RELEVANT LEGISLATION AND POLICY IS STILL APPLICABLE

Amended scheme – .

- Relocation of flue to side elevation of Seafield House. The flue would extend out of the conservatory roof and be attached to the south elevation of the house. It is proposed to be painted green to match the existing historic trellis work. The satellite dish is proposed to stay in situ but be painted green
- Change of design of fence panel attached to the historic flint wall on Havant Road. This is also proposed to be painted green.
- Change of design for boundary treatment to the rear of the extended, detached garage. This would change from timber fencing to a low level flint brick wall with a 'living wall' above.

Assessment – .

Relocation of Flue .

Whilst relocating the flue to the new proposed position would make it less visible from Kinnell Close and from directly in front of No. 6, its height and prominent position on the south elevation (i.e. not obscured by being vented up through an existing chimney stack), would make it a strident feature on this elevation that would detract from the architectural significance of the heritage asset. I appreciate that the proposed to paint it green would match with the trellising however, I feel this would result in the flue appearing even more incongruous and contrived. This also refers to the painting of the satellite dish.

Fence panel on listed wall fronting onto Havant Road .

My concern is that the revised fence design, whilst also being painted green, would still detract from the architectural significance of the wall and result in harm to this element of the heritage asset. Perhaps some simple planting to the rear of the wall may provide some level of screening if that is the main objective for the applicants.

Fence onto Havant Road .

The proposal for the low-level flint wall is welcomed however, there is concern over the proposal for the living wall. This is a modern feature which would appear out of character with the traditional style of the flint wall beneath it. Furthermore, as it would front onto Havant Road, it would be difficult to maintain from within the site. If the planting failed, the overall look could be harmful to the adjacent listed wall and fail to screen the garage extension which has occurred to the rear.

Summary .

Overall it is considered that proposed amendments to the unlawful works already carried out would still lead to less than substantial harm to the significance of a designated heritage asset.

Historic England

Thank you for your letter dated 5 January 2022 regarding the above application for planning permission. 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, details of which are attached.

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request

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: 24

Number of site notices: 1

Statutory advertisement: 07/01/2022

Number of representations received: 21

Comment	Officer Comment
Comments made in support : 0 Comments made in objection : 19	

Case Officer comment to comments above :	All representees received have been reviewed by the case officer Main areas of concern include : - <i>Impact on the heritage asset and wider character of the area</i> - <i>Health and safety and pollution concerns</i> Following submission of amended plans concerns have simialrly been raised which include : - <i>Impact on the heritage asset and wider character of the area</i> - <i>Health and safety and pollution concerns</i>
---	---

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 the Grade II Listed Building
- (iii) 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.

7.3 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.

7.4 Policy H1' Design and Heritage' of the Emsworth Neighbourhood Plan states that any new development or alteration to an existing structure that affects, or has the potential to affect a heritage asset (whether designated or undesignated) will be required in its design, scale and materials to conserve or enhance the significance of the heritage asset, the wider historic character of Emsworth, and to have regard to the design guidance within this neighbourhood plan.

7.5 Policy CS11 of the Havant Local Plan states that planning permission would 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.

(ii) Appropriateness of design and impact on the character of the area and the Grade II Listed Building

7.6 This retrospective planning application includes a flue, alterations to the site boundary treatments, a satellite dish and additions to the garage. The main building is a Grade II listed building and as such there is particular importance to protect and maintain the heritage of the building. It is of importance to note these works have already been undertaken without planning or listed building consent granted. This proposal seeks to gain permission retrospectively for a flue, satellite dish, alterations to the boundary treatment and extension to the garage. The initial proposal included a flue located to the west side of the orangery, adjacent to the side boundary shared with no 6. It also featured fencing to the Havant Road boundary to the north of the site. These proposals were assessed by the Council's Conservation Officer who made comment on the retrospective changes in terms of the impact on the listed building.

Following the comments raised which included concerns in terms of the impact on the listed building and the wider area ; the applicant has subsequently submitted amended plans which show the flue now to be sited to the east of the orangery, with the woodburner moved internally to be adjacent to the rear elevation wall of the orangery .

The flue would now have a height of approximately 0.9 metres raised above the eaves line and would be painted in 'Seafeld green' to match the existing trellis . Instead of the fencing along Havant Road, a living wall is now proposed which would be north facing with a flint wall with brick detailing added below . This would have an average height of approximately 1 metre and the living wall would have a total height of 3.3 metres above ground level. A row of laurels would be planted behind the existing wall. The fencing to the curved section of wall would be painted 'Seafeld green' and detailed to match the existing trellis. The proposals discussed below include the most recent amended proposals.

7.7 Alterations to the site boundary treatments :

The initial submission comprised 3.5 metre high fencing to the rear of the garage at no 7 Kinnell Close . Based on historic street map images, in July 2019, the section of boundary to the rear of the garage comprised a low-level vertical timber fence panel with soft landscaping above, which sat adjacent to a large tree within the Seafeld House grounds. The proposed fencing was deemed ill considered within the setting of the listed building. The style , materials and appearance of this fencing is considered to be particularly high and out of keeping with the existing boundary treatment which includes the low flint wall to the west and brick walls to the east and west. This section of Havant Road leads in towards Emsworth centre and the Emsworth Conservation Area located just 50 metres to the east and is the main road in to the town centre from the A27 and the west . For this reason development should have a positive impact on the character and setting of the area . Havant's Heritage Officer did not support this boundary treatment (please refer to consultee comments section and listed building consent).

Amended plans now propose a flint and brick wall with a height of approximately 1 metre (due to changes in land levels) , above this would be a north facing living wall which would be sited alongside Havant Road and with a height of 2.2 metres above the wall and 3.3 metres above ground level. No additional detail has been provided in regards to the type of planting on the living wall however it is noted the wall may be difficult to maintain particularly so from within the site . The wall height would remain highly prominent and out of keeping with the surrounding boundary treatments and entrance to the Conservation Area and whilst some level of planting may be an acceptable resolution, the form of a living wall would appear out of character and if not regularly maintained, would be particularly harmful to the area . Havant's Heritage Officer has been consulted in this regard and has made the following comments :

The proposal for the low-level flint wall is welcomed however, there is concern over the proposal for the living wall. This is a modern feature which would appear out of character with the traditional style of the flint wall beneath it. Furthermore, as it would front onto Havant Road, it would be difficult to maintain from within the site. If the planting failed, the overall look could be harmful to the adjacent listed wall and fail to screen the garage extension which has occurred to the rear.

It is therefore deemed that the proposed living wall would be harmful to both the listed building and the wider character of the area and contrary to Policy CS11 of the Havant Local Plan.

- 7.8 Fencing has been added above the curved section of the listed wall also along the north elevation. The applicant has advised this is to stop stones from the road chipping the road facing bay window. Whilst the issue of the impact of the road on the window is noted, the fencing is considered to be unsympathetic to the character of the streetscene, alongside the listed wall itself. The applicant has submitted amended proposals which show the fencing to be painted in 'Seafield green'. The painting of the fencing is not considered to mitigate the harm caused by the fencing which does not appear sympathetic within the context of the listed wall. In addition Havant Road is a busy road and the infill style fencing is highly prominent within the streetscene which contrasts to the existing listed wall. The Council's Heritage Officer has commented with the following:

My concern is that the revised fence design, whilst also being painted green, would still detract from the architectural significance of the wall and result in harm to this element of the heritage asset. Perhaps some simple planting to the rear of the wall may provide some level of screening if that is the main objective for the applicants.

The painted fencing is therefore considered to be a harmful addition to the boundary treatment and contrary to Policy CS11 of the Havant Local Plan.

7.9 Garage

This proposal seeks to add a store section to the north east of the existing garage which is to be refurbished - the garage is located in the north east corner of the site. The proposed elevations show the garage to include side access via glass doors, the existing opening to be completed with carriage style doors, and the garage clad in shiplap timber cladding. The roof would be made higher with a new roof added. The alterations to the garage would not be highly visible from the public realm and no harmful impact has been identified. In addition Havant's Heritage Officer upholds no objection to the proposed alterations and additions to the garage.

7.10 Flue

The initial submission included a woodburner flue which has been installed in the orangery located to the south elevation of the property. This is stainless steel and was proposed to be painted black as part of the previous proposal, it has a total height of approximately 4.5 metres, rising above the ridge line of the orangery and located on the boundary to the west of the orangery adjacent to the boundary with no 6 which forms the attached half of Seafield House. It is of importance to stipulate planning permission is not required for the flue as this falls within permitted development limits. Despite this, as discussed in the associated Listed Building Consent APP/21/01444 the flue is considered to be harmful to the listed building. The Heritage Statement (HS) advises that the conservatory does not form part of the main listing. Whilst it is not specifically referred to in the listing description, it is however covered by the listing designation and as such, the works require listed building consent. Havant's Heritage Officer objected to the flue due to the non-traditional design out of keeping with the historic character Seafield House (no. 7 Kinnell Close), which is characterised by its decorative trellis veranda and bay windows.

The applicant has amended the siting and height of the flue as part of the revised proposals with the woodburner moved towards the rear wall of the main dwelling adjacent to the doorway leading into the kitchen . The flue would now have a total height of approximately 6.6 metres above ground level , rising 0.9 metres above the eaves. This would be painted in 'Seafield green' . As stated above this requires listed building consent and not planning consent.. Havant's Heritage Officer has been consulted and has made the following comment :

Whilst relocating the flue to the new proposed position would make it less visible from Kinnell Close and from directly in front of No. 6, its height and prominent position on the south elevation (i.e. not obscured by being vented up through an existing chimney stack), would make it a strident feature on this elevation that would detract from the architectural significance of the heritage asset. I appreciate that the proposed to paint it green would match with the trellising however, I feel this would result in the flue appearing even more incongruous and contrived. This also refers to the painting of the satellite dish.

7.11 Satellite dish

A satellite dish has been installed on the conservatory close to the flue . Similarly to the flue, this does not require planning permission however it does require Listed Building Consent. Havant's Heritage Officer has the following comments to make in regards to the satellite dish :

The satellite dish has been erected adjacent to the flue. Whilst not as visually obtrusive as the flue, it has been positioned in a highly visible location on the building with no attempt to conceal the metal fixings. As with the flue, it sits forward of the frontage of Little Seafield and detracts from its architectural significance when viewed from Kinnell Close. It is also considered to result in less than significant harm but at a lower level than the flue.

Whilst it is noted the applicant has amended the proposals in response to the comments received following the initial submission it is still judged that the amended proposals are considered to result in less than substantial harm (as defined by the NPPF) to the historic significance of Seafield House. Both the flue and the satellite dish are considered to result in less than harmful significance of Little Seafield.

The NPPF advises that (para 202):

'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'.

It is the view of the Conservation Officer that there are no public benefits arising from the works which outweigh the harm caused.

(iii) Effect on neighbouring properties

- 7.12 To the west of the application site is no 6 Kinnell Close which is the attached neighbouring property. The flue is currently located only 6 metres away from the rear elevation of this property, at level height with the first floor rear elevation windows. It forms a prominent and overbearing feature from the rear of no 6 Kinnell Close and could result in harmful pollution blowing towards the courtyard and rear windows when the woodburner is lit and there is a northerly/westerly breeze. The amended location would take the flue off the side boundary set adjacent to the rear wall of no 7 although it would now be only 1.3 metres away from the side boundary where no 6 meets no 7. It is important to again note that the flue does not require planning permission, only Listed Building Consent and therefore impact on health is not a material planning consideration. Whilst there is a policy for pollution, Policy DM10 of the Havant Local Plan, in this particular case as the flue is not subject to planning permission this would not be material. If the woodburner had been lit then any issues arising from this would be dealt with under Environmental Health legislation. Environmental Health have been consulted and have raised the potential for smoke pollution within close proximity of neighbouring dwellings and has requested a smoke nuisance informative be added to any positive recommendation.
- 7.13 It is noted that health and safety concerns have been raised in regard to the safety of the installation of the flue which has been installed at low level alongside the boundary with no 6 Kinnell Close. Building Control have confirmed that the flue would not require building control regulations due to the siting on the orangery. The safety of the installation is not a material planning consideration and therefore does not form part of this assessment.
- 7.14 The proposed garage extensions and alterations are not considered to result in any harm to neighbour amenity as this would be located away from nearby residential properties.

8 Conclusion

- 8.1 The proposed alterations to boundary treatments would result in harm to both the historic character of both the Grade II listed building and the wider character of the area. The fencing and living wall are considered unsympathetic additions within the context of the existing boundary treatments and in a highly prominent location along Havant Road. The proposal would cause clear harm to the special architectural and historic interest of the listed building and wider area and is contrary to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and policy DM20 of the Havant Borough Local Plan (Allocations) 2014 as well as policy H1 of the Emsworth Neighbourhood Plan.
-

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/21/01256 for the following reasons

- 1 The proposed alterations to boundary treatments would result in harm to both the historic character of both the Grade II listed building and the wider character of the area. The fencing and living wall are considered unsympathetic additions within the context of the existing boundary treatments and in a highly prominent location along Havant Road. The proposal would cause clear harm to the special architectural and historic interest of the listed building and wider area and is contrary to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and policy DM20 of the Havant Borough Local Plan (Allocations) 2014 as well as policy H1 of the Emsworth Neighbourhood Plan .