
Site Address:	18 Kings Terrace, Emsworth, PO10 7AA		
Proposal:	Loft conversion with rear dormer.		
Application No:	APP/21/01402	Expiry Date:	07/03/2022
Applicant:	Mr J Hughes		
Agent:	Mr I Marshall	Case Officer:	Julie Terzoudis
	Mr I Marshall		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site relates to a mid-terraced, two-storey dwelling located at 18 Kings Terrace, within Emsworth. The dwelling sits within a row of four terraces, which comprise a limited setback from the public highway of 1.5m. Separate single garage parking is located to the south of the site. Pedestrian access to the rear is available from a pathway running along the northwest side of Oyster Mews.
- 1.2 The application also falls within the Emsworth Conservation Area and the Chichester Harbour Area of Outstanding Natural Beauty, which follows a Dark Skies protocol.

2 Planning History

No planning history exists within the Havant Borough Council planning records; however, it is noted that a single-storey rear extension exists to the rear of the dwelling which appears to be an addition to the main dwelling.

3 Proposal

The application seeks planning permission for the construction of a rear flat-roofed dormer to facilitate a loft conversion and small shower, which would be constructed from matching materials to the host dwelling.

4 Policy Considerations

National Planning Policy Framework 2021
Planning Practice Guidance 2016
Planning (Listed Buildings and Conservation Areas) Act 1990

Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2019

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

- 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)

Emsworth Neighbourhood Plan Post Examination Version 2020
ENP_D1 (General Design Policy)

Listed Building Grade: Not applicable.
Conservation Area: Emsworth

5 Statutory and Non-Statutory Consultations

Chichester Harbour Conservancy (summarised)

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. The current proposal lies inside the AONB. The proposal is located within a built-up urban location within the AONB protected national landscape. The proposed works comprise works / alterations that require detailed approval of the LPA. The planning history for the site indicates no earlier considerations that would have any obvious bearing on the current proposal in relation to the AONB. The works lie wholly within the site. The proposal is for the construction of a rear roof box dormer window. This would enable the loft area to be used as a habitable attic room, with small shower room included.

ASSESSMENT

AONB PP03 / Joint SPD considerations have been part of this AONB planning assessment. Given the backdrop and setting of the built-up area, the works to the street scene would be unnoticeable and would not be unduly imposing to the public realm. The main works to the dwelling are proportionate and subservient to the host building. The scale of the proposed works would have a visual impact within the site and 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 and the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.

Conservation Officer (summarised)

Given that the dormer is subservient and discreet in nature, the resultant harm to the conservation area would be negligible. Overall, the proposals would meet the test of 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.

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: 18

Number of site notices: Not applicable.

Statutory advertisement: 21/01/2022

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 and legislative context
- (ii) Appropriateness of design and impact on the character of the Emsworth Conservation area
- (iii) Impact on the Chichester Harbour AONB and Dark Skies area
- (iv) Effect on neighbouring properties
- (v) Highways and parking

(i) Principle of development and legislative context

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

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

7.4 The application site falls within the Emsworth Conservation Area which comprises of many buildings dating back to 13th century. This particular site and the surrounding buildings were built in the latter part of the last century, none of which are listed.

7.5 The proposal relates to internal alterations to provide a stairway, and for the construction of a rear dormer to facilitate a third bedroom and shower within the attic space. The dormer would be set to the rear of the dwelling and therefore would not be visible from the public realm. As the application site backs onto the rear of a commercial development on the High Street, the rear elevation is not also visible in the wider context of the conservation area. As such, the flat roof design would not highly

visible and would not alter the special character of the conservation area.

- 7.6 The dormer provides a significant setback from the eaves of the dwelling and setdown from the main ridge. Whilst the design of the dormer features a flat roof, the works to the dwelling are proportionate and would remain subservient in scale to the main roof. The ormer would also be constructed from matching materials, supporting positive integration with the dwelling.
- 7.7 Given that the dormer is subservient and discreet in nature, the resultant harm to the conservation area would be negligible. The scale of the proposed works would have no visual impact within the site or to the wider protected conservation area.
- 7.8 Overall, the proposals would meet the test of 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.
- 7.9 The design and appearance of the proposal is deemed appropriate in context to the main building and conservation area and therefore meets the requirements of Policy CS11 & CS16 of the HBLP (Core Strategy, 2011). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact on the Chichester Harbour AONB and Dark Skies area

- 7.10 The scale of the works proposed are considered to have no 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.
- 7.11 It is noted that the consultation response from Chichester Harbour Conservancy requested mitigation measures to limit light pollution in line with the Dark Skies protocol. However, given the minor scale of development within a clearly established residential urban area, it would be unreasonable, and therefore unenforceable, to require restrictive limits to the light fall experienced from two small residential windows.

(iv) Effect on neighbouring properties

- 7.12 The proposed rear dormer would be a minor form of development which would not introduce any overbearing or overshadowing impacts to the neighbouring occupiers at No. 17 & No. 19 Kings Terrace.
- 7.13 The dormer would introduce overlooking to the rear private open space serving both neighbouring occupiers. However, as an existing two-storey dwelling, no significant increase in overlooking would be introduced, over and above the established overlooking already available from the first windows on the rear elevation.
- 7.14 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy, 2011). It is noted no letters of objection were received with respect to the scheme.

(v) Highways and parking

- 7.15 The existing dwelling is a two-bedroomed property. The proposed development would result in a three bedroomed dwelling. The site currently only provides on-site parking for a single vehicle within a separate internal garage set to the south of the site. With reference to Havant's Car Parking SPD 2019, two on-site parking spaces are required for two & three bedroomed dwellings. Therefore, the site is already experiencing a shortfall of one parking space.
- 7.16 Nonetheless, the National Planning Policy Framework (NPPF) 2021, Paragraph 111. states that *'development should only be prevented or refused on transport grounds where the residual cumulative impacts on the road network would be severe'*.
- 7.17 The on-site parking shortfall of one space is existing and the provision of a second on-site space is not possible within the site. This is an existing situation, and it would be unreasonable to refuse the application due to the shortfall. The site cannot be concluded to result in a 'severe highways impact' and therefore no concerns would be raised with proposed shortfall of on-site parking.

8 **Conclusion**

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the 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/21/01402, 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:

Location Plan Drw. No. 1A - received 29 December 2021
Existing and Proposed Elevations and Plans Drw. No. 2A - received 29 December 2021
Heritage Statement - received 12 January 2022

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

