
Site Address:	The Railway Inn, 95 North Street, Emsworth, PO10 7PQ		
Proposal:	Demolition of existing rear outbuildings, erection of 4No. three storey townhouses with parking and raise height of existing pub roof to form 1No. self contained flat to second floor roof area.		
Application No:	APP/16/00821	Expiry Date:	18/10/2016
Applicant:	Mr D Lucas		
Agent:	Mr M Singleton	Case Officer:	Rachael McMurray
Ward:	Emsworth		

Recommendation: **REFUSE PERMISSION**

1 Site Description

The application site is located on the corner of North Street and Sultan Road in Emsworth. The entrance to the Emsworth railway station is located opposite to the site. The area is characterised by mainly Victorian style terrace housing along Sultan Road and North Street. A number of the properties on North Street, including the adjacent neighbour at No. 93 have been subdivided into two flats. Parking is predominantly on street. A recent development has occurred at the adjacent site on Sultan Road which involved a conversion of a former industrial/office building into three dwellings with a further new dwelling located in the rear garden facing onto Seagull Lane.

The application site comprises a two-storey building, with a traditional pitched roof. It has a white painted render finish to the external facade with some mock tudor detailing. The building is currently used as a public house with B & B accommodation at first floor level. The main entrance fronts onto North Street and includes a front external seating area enclosed by iron railings. There is a flat roof area at first floor level at the rear of the building which includes a single storey unit of accommodation which is ancillary to the public house and used as managers accommodation. There are other flat sections of the building which are not enclosed and used for servicing.

2 Planning History

01/63424/000 - Installation of two windows to ground floor, side (north) elevation.,
PERM,19/06/2001

06/63424/001 - Replace pan tiles to roof.
PERM,04/12/2006

07/63424/002 - Retention of refrigeration unit. Resited to east elevation and enclosed with insulation board.
PERM,15/08/2007

09/63424/003 - Enclosure of the front forecourt including the erection of 0.9m high railings positioned above the existing 0.4m high boundary wall, erection of 0.4m high conifer planters above the existing brick piers and the erection of 1.3m high railings and iron gate in between the existing brick piers and boundary wall and the erection of 1No. retractable awning to the north side of the front entrance.
pERM,02/02/2010

3 Proposal

Demolition of existing rear outbuildings, erection of 4No. three storey townhouses with parking and raise height of existing pub roof to form 1No. self contained flat to second floor roof area.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Havant Borough Design Guide Supplementary Planning Document 2011

Parking Supplementary Planning Document 2016

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control:

No solid waste storage provisions

Fire escape routes unclear

Escape into undercroft from self-contained unit will need to comply with Approved Docs B.

Means of escape from self contained flat bedrooms 1 and 2 have issues due to being inner rooms. Compliance with Approved Doc B will be required.

Development Engineer:

No objections subject to dropped vehicular kerb access are provided for each of the units and the undercroft parking cannot have garage doors installed.

Please note that the scheme does not comply with the HBC parking standards as the design only shows enough space for one parking space.

In order to maintain access to the undercroft parking a TRO should be promoted in front of the buildings and for a distance of 2m in an east and west direction beyond the footprint of the four buildings (to provide sight lines for reversing).

Waste Services Manager:

No objections

Economic Development - Commercial and Housing:

No objections

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: At least one site notice exists

Statutory advertisement: Not applicable.

Number of representations received: 19no. representations were received from 17no. addresses. A summary of the points raised is provided below.

1. Loss of privacy to No. 93A and B North Street from the use of the terrace
2. Loss of amenity resulting from noise, smells and light pollution from the rear facing windows in the new dwellings
3. Unsustainable loss of parking within the nearby locality when parking is already an issue adversely affecting local residents.
4. Sultan Road is non-permit so results in people parking all day, resulting in less available parking for residents.
5. Raising of the ridge height of the main public house would be overbearing and dominant in the streetscene.
6. Overlooking from rear facing windows in the new house
7. The height of the new dwellings will be overbearing on the gardens of No's 93-85 North Street.
8. Building works would cause a huge disruption.
9. Balconies are not in keeping with the streetscene
10. Overdevelopment of the site - no space for outside amenity space, bin storage etc for future residents or the pub itself.
11. Value of properties would be affected by severe parking issues.
12. Working chimney pots are in very close proximity to the proposed second floor open courtyard area in the manager's flat on the second floor.
13. The raising of the ridge height would result in a loss of light to No. 93a and B North Street.
14. With the shortfall of parking provided, there would be a net loss of 8 spaces in the immediate locality.

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 the character and appearance of the area
- (iii) Impact upon the neighbouring properties and residential amenity
- (iv) Parking and highways considerations
- (v) Other matters

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable in principle subject to the usual development control criteria.

(ii) Impact on the character and appearance of the area

Roof extension to the public house:

It is proposed to raise the height of the main roof on the existing building by 650mm overall. This would also include the insertion of three flat roof dormers on the north elevation facing onto Sultan Road and the building up of the hipped slope on the north elevation to a full gable end which would be attached to the side elevation of the first of the four new dwellings. Other alterations to the main roof are proposed but these would not be visible from the streetscene and are discussed further in terms of their impact on neighbouring properties in the next section.

The application site forms a corner building, purpose built as a public house with a chamfered corner. It is larger in scale than the terrace row extending along North Street and to the rear on Sultan Road. The combination of this along with the a projecting gable section on the North Street frontage and material detailing, emphasises its prominence as a larger, important building within the context of the streetscene. Whilst overall the building would be higher, this would not be to such an extent whereby it would appear out of scale as it is already a building of prominence within the streetscene. The proposed dormer windows would be small and well spaced and would not dominate the north facing roof slope. Overall it is considered that this element of the proposal would not harm the character or appearance of the building within the context of the streetscenes of both North Street and Sultan Road.

New dwellings:

At present, the rear of the public house comprises a flat roof section including a single storey unit of accommodation, ancillary to the use of the main building. To facilitate a degree of privacy, a fence and trellis has been erected along the edge of the section of flat roof. Further to this is a covered smoking shelter and store room. Overall this section of the building does not positively contribute to the context of the streetscene in design terms and the proposal to replace this area with a more permanent and cohesive building form is encouraged. The principle of the continuation of a terrace row is acceptable given that Sultan Road is already characterised by flat fronted terraced properties with no front fore court. However, key to the success of a terrace is the concept of uniformity and the detailing proposed on the 4 terraced units would be incongruous to the character of the streetscene.

Other than the public house, the height of the existing buildings is two-storey, none of which have dormer windows in the front roof elevations. The proposed dwellings would be 2 1/2 storey in height and include open undercroft parking at ground floor level with no front doors, balconies at first floor level and dormer windows at roof level. The combination of these design features would result in the terrace forming an incongruous pocket of development, harmful to the visual amenity of the streetscene.

Whilst the recent development at Tealwood, Sultan Road has resulted in properties with a slightly different front elevation in terms of window apertures, this still draws inspiration from the existing terrace row. The proposed development would not achieve this and would therefore be contrary to the advice laid out in Policy CS16 of the Local Plan (Core Strategy).

The proposed dwellings would be 10m in depth and each would contain 2 bedrooms i.e. suitable for family occupation. No rear gardens or external amenity space, other than the balcony area is proposed. This is contrary to the advice laid out in the Council's Design Guide for new dwellings which advises that new dwellings, as a guide, should have a rear garden depth of at least 10m. Due to the limited space in terms of width, this would be impossible to achieve on this site. However, as a result the character of development would be out of character with other properties in the immediate locality, all of which have some degree of external amenity space. This includes the recently converted units immediately next door which have external rear gardens. The lack of amenity space available for the 2 bedroom family occupation suggests that 4no. units on the site constitutes overdevelopment, resulting in a cramped form of accommodation, harmful to the character of the locality.

(iii) Impact upon the neighbouring properties and residential amenity

Roof extension to the public house:

The proposed raising of the roof would provide a unit of accommodation within the increased roof space and replace the existing managers accommodation in situ on the rear of the current flat roof. This would be accessed via a new internal staircase located on the existing open, flat roof area at the rear of the building, adjacent to the shared rear boundary with No. 93 North Street. The rear elevation of No. 93 has two facades, one of which is set back and the other which extends outwards. Both of these elevations have first floor and ground floor windows. The windows in the section of the rear elevation which is set back, already have limited light and outlook due to being tunneled by the existing wall of the public house and the projecting section. The raising of the roof of the application building would may increase this tunneling effect however, it would not be creating an issue does not already exist and would not exacerbate the impact to an extent whereby a reason for refusal would be justified.

The existing area of flat roof on the shared boundary is currently open with no railings. It is separated from the other area of flat roof and existing managers accommodation by a 1.8m high CBF and is only used for servicing. The application proposes to enclose this flat roof area with railings, therefore enabling it to be used for amenity space in conjunction with the newly formed managers accommodation or the B&B facility which exists on the first floor. It would also need to be used regularly to access the new flat. As this part of the roof is immediately adjacent to the boundary with No. 93, any use of this space would result in a clear loss of privacy to No. 93 allowing full and direct views into the rear and side facing windows and directly down into the private rear garden. This is contrary to Policy CS16 of the Local Plan (Core Strategy) which requires development to consider the impact on neighbouring properties.

New dwellings:

The proposal would be visible from the rear gardens of No's 93-85 North Street and beyond. However, the most immediate impact would be on No. 93. The existing south elevation of the ground floor of the public house and the managers accommodation unit at first floor, forms the shared boundary between the two plots. The first floor

building comprises a gable end and then a pitched roof with two roof light windows. There is a 4.5m gap between the main building and managers accommodation which provides a gap in the built form and views of the sky at first floor level.

If built, the rear elevation of the four terraced dwellings would form a parapet wall of 6.9m in height, directly on the shared boundary with No. 93 of over 15m in length. Further to this would be an additional 1.7m height of roof scape. This would be a significant increase in building bulk and mass on this boundary and would be excessively overbearing on the amenity of the neighbouring property and to a lesser degree the other properties in the terrace row.

At present the only windows which face onto the rear garden of No. 93, are the two no. roof light windows located in the first floor manager's accommodation unit. The proposal would introduce a total number of 12no windows onto the rear elevation (10no additional). Whilst the plans show that the first floor windows would be obscurely glazed, it would be unlikely that these could be fixed shut as they serve as the only window to the kitchen area internally. If open, this would have to be to a fixed degree and difficult to monitor/enforce if this opening was widened. There would also be the potential from noise disturbance from the 4no. windows so close to the amenity space of No. 93. The roof level windows would serve a bedroom and would need to be openable for fire escape purposes. Given that these would be the only windows to serve these rooms, they would need to be clearly glazed. As the cill height would only be 1.4m from finished floor level, clear views could be afforded out of these windows. However, it is noted that the height of the parapet wall would limit the potential for direct overlooking. There is also the issue of potential light pollution directly onto the rear garden of No. 93 as a result of an increase from 2no. windows to 12no windows in total.

Overall it is considered that the rear elevation of the proposed units would be highly overbearing and oppressive on the amenity of No. 93 and to a lesser extent the properties further to the south and that the presence of windows immediately on the shared boundary could give rise for the potential for unreasonable disturbance and light pollution.

(iv) Parking and highways considerations

Each of the terraced units proposes 2no. bedrooms and therefore requires 2no. spaces in order to meet the adopted parking standards of the Council. The undercroft parking area measures 9.1m and is therefore unable to facilitate 2no. 4.8m deep parking spaces. The proposal therefore does not meet the adopted parking standards. The recently developed site adjacent to the public house on Sultan Road was approved with a lack of parking provided. However, a main consideration of this application was that this was a conversion of a former office building which already generated traffic /parking and the residential conversion was considered to result in less parking and therefore the shortfall was justified.

This application would require 8no. spaces to be provided (2 per dwelling). Furthermore, this would result in the loss of 4 spaces on the street as parking could not occur in front of the dwellings or 2m either side to allow for sight lines and reversing. As there would be a shortfall in the parking provided for the new dwellings(1 space per dwelling), there would be a net loss of 8no. spaces. Sultan Road is not covered by a residents parking permit system, unlike Seagull Lane or Palmers Road, nor does it have time restrictions like North Street and therefore has a higher demand for parking from residents and train station users. Although the application site is

considered to be in a sustainable location, close to the train station and on the main road, the combination of the loss of further spaces on Sultan Road and the increase in demand from future occupiers is considered to have a highly adverse impact on the amenity of the occupiers of the immediate locality who depend on on-street parking. The application is therefore considered to be contrary to Policy DM13 of the Local Plan (Core Strategy).

(v) Other matters _

The proposal is CIL liable for £48,120. It is also liable for a contribution towards the SRMP at £176 per residential unit. However, this has not been progressed with based on

concerns raised with the application at an early stage. The proposal is therefore contrary to Policy DM24 of the Local Plan (Allocations).

8 Conclusion

The application is considered to be unacceptable in terms of the impact on the neighbouring properties, particularly No. 93, with regards to the oppressive and overbearing impact from the rear elevation and the loss of privacy and potential disturbance from the rear facing windows. The scheme of the development is considered to result in an overdevelopment of the site, with a severe lack of amenity space provided for family style accommodation. The design of the front elevation of the terrace row is considered to be out of character and visually harmful to the streetscene. The proposal results in a lack of parking provision which would have an adverse impact on the amenity of the immediate locality. No contribution has been provided towards the SRMP.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/16/00821 for the following reasons:

- 1 Development of the site in the manner proposed would amount to over-development, in that it would give rise to unsatisfactory plot sizes for two-bedroomed dwellings with minimal external amenity space. Furthermore, in providing this level of accommodation the proposed design features on the front elevations of the terraced units including balconies and undercroft parking would be out of keeping with the character of the streetscene and harmful to the visual amenity of Sultan Road. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework 2012.
- 2 The proposed development would result in an excessive building bulk adjacent to No. 93 North Street, visible from the adjoining wider terrace row, detrimental to the visual outlook and amenities of these properties. The proposed balcony to serve the access to the second floor accommodation would give rise to the potential for overlooking of the private amenity space of No. 93 North Street. The presence of windows in the rear elevation of the proposed residential

units would result in a loss of privacy in terms of the potential for noise disturbance and light pollution. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework 2012.

- 3 Development of the site in the manner proposed would not provide adequate provision of car parking in accordance with the Local Planning Authority's adopted standards and would therefore encourage the parking of vehicles on the public highway which would be harmful to the amenity of the immediate locality. The proposal is therefore contrary to Policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011, the Parking Supplementary Planning Document 2016 and the National Planning Policy Framework 2012.
- 4 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Recreation Mitigation Partnership, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning Authority which seeks to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. It is therefore contrary to Policy CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.