

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

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

Supplementary Planning Documents

Borough Design Guide

Residential Parking and Cycle provision

Listed Building Grade: Grade 2

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Conservation Officer

The National Planning Policy Framework (NPPF) was published in March 2012 and sets down the policies that the Council must take into account when determining planning applications. This supersedes PPS 5, however, English Heritage (web-site 23 April 2012) advises that the Practice Guide (HEPPG) remains a valid and Government endorsed document pending Government's review of guidance supporting national planning policy as set out in its response to the select Committee.

Assessment of heritage asset and significance

Both the Planning (Listed Buildings and Conservation Areas) Act and the NPPF attach significant importance to the conservation of historic assets and require decision makers to having special regard both to the desirability of preserving listed buildings and their setting and the character or appearance of conservation areas.

In assessing this application the heritage assets to consider is 42 Sinah Lane (Saltings) which is Grade II listed. The listing description focuses on the architectural elements of the building including its construction and its Corbusier influenced design. The plan of Saltings is also particularly significant due to it orientation in relation to the sun. Living areas have large areas of glazing to the south and west to maximise sunlight. The result is that the main living spaces look onto the driveway rather than the long private garden to the north.

Impact of the development on heritage assets

The development proposal will result in the removal of some of the associated land, from the ownership of 42 Sinah Lane which is a Grade II listed dwelling. As a consequence the curtilage of the property will be permanently reduced. Historic England in their document Enabling Development and Conservation of Significant

Places, provides guidance to local authorities on how to consider proposal to fragment listed buildings for their curtilage. The advice indicates that local authorities should take a firm line against granting consent for any development which could be considered detrimental not only to the asset or its setting but also to its long term viability.

However, in this particular instance it is considered that the proposed sub-division would not be detrimental to the architectural significance of the cottage or its setting. Although it is acknowledged that the setting of this building contributes to its significance, the new scheme allows for this setting to be substantially maintained given the size of the private garden to be retained. The proposed property does not appear to be overly bulky or of a size that would be out of keeping with the surrounding area. In fact the compact design will still allow good appreciation of views to the harbour from the roof terrace of the listed building. The location and orientation of the dwelling also means that the development would not have an adverse impact on the setting of the listed building. Its construction will also not over develop the plot or the setting in which it is set. In terms of design I feel the proposed dwelling should be commended. It is clear the design has been inspired by the design of Saltings and the local context of the area with the main façade located away from the existing house. The quality of materials will be an important part of this development to ensure that it harmonises with the surrounding area. I therefore would like a condition attached for samples to be submitted prior to development to ensure they are of appropriate quality.

Para 132 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the assets conservation.

The more important the asset, the greater the weight should be. As previously stated the setting of Saltings has high value in terms of its significance. However, this significance would not be harmed by the development as I have outlined above. In accordance with Section 66 and 72 of the Act considerable importance and weight has been given to the desirability of preserving the setting of the heritage asset and its setting. It is therefore considered that the significance of the listed building is sustained. The following conditions should be submitted if permission is granted:

Conditions

1. Remove P.D rights
2. Materials - Details/Samples required
3. Full details of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The windows and doors shall be installed in accordance with the approved details.

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: 5

Number of site notices: One

Statutory advertisement: 06/05/2016

Number of representations received: 5

Summary: There have been five letters of representation received. Two are against the proposal, two in favour and one raising points of concern. Many of the issues are considered within the planning considerations section of the associated planning application report.

- (a) This house might be almost invisible from the water since it appears to be largely hidden behind the oak trees on the shoreline. This additional waterfront proposal is an outstanding example of what can be achieved with good design and careful restraint.
- b) Location of new access would cause danger to users of the highway - *the Development Engineer has been consulted on this proposal and raises no concerns*
- c) Loss of privacy to owners of No.40
- d) This site previously had planning permission refused for a new dwelling *Each application must be considered on its own merits*
- e) The footprint of the new building is disproportionately large in relation to the host dwelling
- f) The development should be reduced in size to prevent impact on the coastal zone
- g) Object to the inappropriate and misleading description of uses along the foreshore as a justification for the new development *Noted, the application will be considered on its merits*
- h) There is an outstanding enforcement breach regarding the listed building and the deliberate non-compliance with the enforcement order should be grounds to reject the application *this would not be a material planning consideration for this application*
- i) Question the credibility of the parking plan
- j) Will have a negative impact on the listed building
- k) concerned that it will set a precedent for larger new development and will lead to further applications *Each application must be considered on its own merits*
- l) Conditions should be applied to any consent to restrict increase in height or footprint of building *Permitted development rights should be removed to ensure that any future proposals can be considered through the planning process*
- m) Further mature planting along the shared boundary with No.40 is required
- n) Proximity of new access to boundary wall of No.40 may cause issues. Should be moved 1.5m
- o) road surfacing needs to create least noise possible as it will run adjacent to two bedroom windows
- p) request height cap on hedges to western boundary of 40 to 50% of current height *the existing hedge is not relevant to the considerations of this application unless it was required to be retained for screening purposes*

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 of the development on heritage assets

- (i) Principle of development

The plot already contains a residential unit and is within the identified urban area. This

application is for listed building consent for alterations to the boundary wall to form an access to allow the construction of a new dwelling.

(ii) Impact of the development on heritage assets

It is considered that this proposal is appropriate to the setting of the listed building and that it accords with national and local planning policy. Although the development proposal will result in the removal of some of the associated land from the ownership of 42 Sinah Lane, the new scheme allows for the setting of the listed building to be substantially maintained given the size of the private garden to be retained. Furthermore, the compact design will still allow good appreciation of views to the harbour from the roof terrace of the listed building. The Conservation Officer's comments are positive with regard to the location and orientation of the dwelling, such that he considers that there would not be an adverse impact on the setting of the listed building.

However, there could be an impact of the access road on both the setting of the listed building and the amenities of the occupiers of this dwelling. Therefore, the boundary treatment must be appropriate and sufficiently robust to provide screening to the windows within the eastern elevation of the listed building whilst not being a detriment to it's setting. A mature hedge would most probably be the most appropriate form of screening to this boundary as suggested on the submitted plans. The final detail, species and height of this hedge should be conditioned as part of the associated planning application.

The existing flat roofed out building to the rear of the listed building is not of any important architectural merit and the conservation officer has no concerns with regard to the demolition.

Overall, the design and construction of the proposed new dwelling and access take inspiration from the host listed building and accord with the provisions of policies CS11 and CS16 to this regard.

8 Conclusion

The proposal will result in a new access being created to serve a modern building close to Langstone Harbour and the loss of an existing outbuilding. There is a mixture of styles in the road and it is considered that the proposal will be acceptable in terms of its design and impact on the street and shore side scenes. The proposal is also considered acceptable in terms of highway, flood risk and neighbour impact - subject to the conditions imposed.

9 RECOMMENDATION:

That the Head of Planning be authorised to GRANT LISTED BUILDING CONSENT for application APP/16/00384 subject to the following conditions

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Notwithstanding any description of materials in the application no above ground construction works shall take place until a full specification of the materials to be used externally on the wall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

- 3 No part of the development hereby permitted shall be occupied until details of until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority and the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policies CS11.1, CS11.4, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Location Plan drwg.no LB_02 received 22 April 2016
Proposed Sinah Lane Elevation drwg.no LB_04 received 22 April 2016
Arboricultural Report and Tree Constraints Plan complied by Tim Pike submitted 22 April 2016
Ecology Report ref EclA/JF/PD submitted 22 April 2016
Ecology Mitigation Statement ref 16.0284 submitted 22 April 2016
Flood Risk Assessment submitted 22 April 2016
Design and Access Statement Submitted 22 April 2016

Reason: - To ensure provision of a satisfactory development.