

Consultee Comments for Planning Application APP/16/00383

Application Summary

Application Number: APP/16/00383

Address: 42 Sinah Lane, Hayling Island, PO11 0HH

Proposal: Construction of 1No.4 bedroom dwelling in rear garden and new vehicular access to Sinah Lane following alterations to existing boundary wall.

Case Officer: Heather Lealan

Consultee Details

Name: Mr John Heritage Team

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On Behalf Of: Conservation Officer

Comments

Principal Conservation Officer No Objection

Site

No.42 Sinah Lane is the site of Saltings which is two storey detached house that is Grade II listed. The property was designed in the modernist style Amyas Connell who was renowned for this style of architecture. The property currently has a long rear garden that stretches north to the foreshore of Langstone Harbour.

Policy Context

Before proceeding to consider the policy context of the NPPF, it is of primary importance that the correct weight should be attributed to the desirability of preserving the setting of the listed building from the outset, in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Area) Act 1990:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall 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

The need for the decision taker to attach considerable or special weight to the desirability of preserving the setting of listed buildings has been reinforced through two recent high court decisions of: Barnwell Manor Wind Energy Limited vs. East Northamptonshire District Council et al (2014); and North Norfolk District Council vs. DCLG and Mack (2014).

The above statue and its subsequent and consistent interpretation in recent high court decision emphasises the need for the policies of the NPPF to be implemented whilst always having regard to the need to give special or greater weight to the preservation of the setting of a listed building.

Where the impact on the setting of a listed building has been assessed in accordance with paragraphs 128 to 132 of the Framework, and has been found to fall within the category of less than substantial harm (i.e. paragraph 134), then it is still important that when considering the balance exercise, and therefore the public benefits of any such proposal, that from the outset this is consciously weighed in favour of the need to preserve the setting of the listed building.

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.

The NPPF sets out, in paragraph 17, the 12 core planning principles that local planning authorities should consider in making planning decisions. One of these core principles relates directly to conserving heritage assets, as follows

Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

Paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. It also goes on to state that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. While, paragraph 134 of the National Planning Policy states that where a development 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.

Paragraph 64 (Section 7 Requiring Good Design) is also particularly relevant to this case in that development should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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 have 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 its 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 proposals 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 asset's 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.

Reason: To protect the character and appearance of the conservation area.