



## **2 Planning History**

APP/17/00929 - Listed Building Consent for proposed Garden Room extension with roof terrace above (retaining previous proposals as approved). This parallel listed building application is currently under consideration and can be found elsewhere on this agenda.

APP/15/00854 - Listed Building Consent for construction of first floor side extension and single storey side extension along with minor alterations, PERM,30/09/2015

APP/15/00853 - Proposed first floor side extension and single storey side extension along with minor alterations, PERM,30/09/2015

02/52690/009 - Demolition of single storey rear extension and erection of two storey and single storey rear extension. (resubmission), PERM,09/12/2002

02/52690/008 - Listed building application for demolition of single storey rear extension and erection of two storey and single storey rear extension. (resubmission), PERM,09/12/2002

02/52690/007 - Notification of intention to fell a Cherry tree at Quay Cottage, 16 Langstone High Street within Langstone Conservation Area., RNO,22/07/2002

02/52690/006 - Listed Building Consent for partial demolition of existing single storey rear extension and erection of two storey rear extension., REF,02/07/2002

02/52690/005 - Part demolition of existing single storey rear extension and erection of two storey rear extension., REF,02/07/2002

02/52690/004 - Listed Building application to demolish existing rear extension and erect single storey extension to rear., PERM,13/05/2002

02/52690/003 - Demolish existing rear extension and erect single storey extension to rear adjoining number 17 Langstone High Street., PERM,13/05/2002

## **3 Proposal**

- 3.1 Proposed Garden Room extension with roof terrace above (retaining previous proposals as approved APP/15/00853 and APP/15/00854). These extant plans enlarged the accommodation on the ground floor and first floor levels, with the ground floor extended to the side and rear to partly infill the space to the side of the dwelling, and the first floor extension increases the size of the existing bathroom and en suite accommodation. The approved plans showed the work to be carried out in tile hanging and plain tiles to the roof to match the existing structure.
- 3.2 The current proposal is a revision to the 2015 approval in that the ground floor extension would be further extended to the side to infill the side courtyard area to provide a garden room with roof terrace above. In accordance with the 2015 permission the works would be set back from the frontage and behind the existing boundary walling. The plans have been amended to change the first floor glass balustrading to black iron railings. Additionally the access to the roof terrace has been amended and planters added with black metal trellis work to provide screening to the rear.
- 3.3 Whilst the 2015 extension would be of traditional design and materials to match the existing dwelling, the proposed garden room would be of contemporary design incorporating large timber glazed doors. The side wall would be built up to the boundary with the adjacent property at No 15, but would not be attached

## **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)  
CS12 (Chichester Harbour Area of Outstanding Natural Beauty (AONB))  
CS15 (Flood and Coastal Erosion)  
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

DM20 (Historic Assets)  
AL1 (Presumption in Favour of Sustainable Development)  
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Grade 2  
Conservation Area: Langstone

Langstone Conservation Area Review - Character Appraisal and Management Plan 2011

## **5 Statutory and Non Statutory Consultations**

### **Conservation Officer**

This proposal has been the subject of pre-app discussion (GEN/17/00630). This grade II listed property sits in a prominent position overlooking Langstone Harbour. It also lies within Langstone Conservation Area. The building forms part of a terrace row. The property and those in the same terrace row have been enlarged in comparatively recent times. A series of two storey rear extensions have been added as part of a composite design.

The application involves a further modest addition occupying what is dead space to the side of the property. Apart from impacting slightly on the return tile hanging to the principal building the historic fabric of the historically important host building is unaffected. The present door connections are to be retained and re-used. The key issue therefore is the impact of the changes on the building's special interest and on the wider character and appearance of the conservation area.

The current proposals largely reflect the advice offered. The proposed scheme is of a contemporary design, however, in my opinion; it still acknowledges and respects the form of the primary listed building. The extension is subordinate in terms of scale and appears to use materials which will add a contrast between the old and new – yet not clash with or compromise the historic structure.

The manner in which the building is viewed means that it is mainly the upper floor that is seen. On reflection I feel the glass balustrade needs amending. Looking at the drawn up plans it does jar with the existing character of the property and the surrounding area. I would therefore recommend the scheme is amended to either remove the balustrading altogether or a more suitable material is used like traditional black iron railings.

**Officer comment:** *The balustrading has been amended to black iron railings.*

There is currently mixed fenestration. Some appropriate, other elements in the current modern addition quite crude. I am satisfied that well designed slim double glazed units

could be accommodated, subject to detail, without compromising the architectural character/appearance of the building. It is preferable to deal with such details at this stage, but it was agreed it could be covered as a reserved matter.

In the event of planning permission/listed building consent being granted, advise the imposition of conditions.

### **Chichester Harbour Conservancy**

The property occupies a very prominent position in the Conservation Area and is highly visible from the harbour shoreline and to a lesser extent from the bridge to Hayling Island.

The scale of the extensions seems acceptable as is the palette of facing and roofing materials. That the garden room now comes right to the common boundary, would not so denude the spatial character of the street to warrant an objection from The Conservancy and I note a pre-application meeting took place with the Council's Conservation Adviser.

I still only have one slight concern, which was first made 16.9.15 in response to application APP/15/00853. The comment seems even more relevant now that a roof terrace is proposed which would afford the occupier the same views of the harbour. I leave questions of neighbours' privacy to the council to consider.

This relates to the size of the bathroom window opening at first floor, facing the street. This opening is much larger than other window openings facing the street. Being as it is to serve a bathroom and that the existing house projecting forward of that window would limit views of the harbour, the Conservancy still questions why the opening needs to be that big and being a bathroom why it needs to function as a Juliet balcony?

This window is not annotated as being frosted and whilst the applicant may have no qualms 'appearing' before the unsuspecting public walking in the High Street or along the foreshore, modesty and societal 'laws' of propriety would suggest a planning condition to at least require obscure and fixed glazing to that window, ought to at least be considered by the council!

Notwithstanding similar having been approved under APP/15/00853 and that the Conservancy's objection was misunderstood in the Officer report at that time, a smaller window, central to the width of the wall it sits in would seem more appropriate, perhaps centred on the ridge of the roof over it.

\*Policy framework

NPPF - 14, 17, 56-58, 60, 64, 99, 109-113, 115 and Section 12; NPPG - ID8, ID18a, ID21a, ID26; Havant Borough Local Plan (Core Strategy) 2011 - CS12, CS16, DM8, DM9; Havant Borough Local Plan (Allocations) 2014 - AL1, DM20; Chichester Harbour AONB Management Plan 2014-2019: LS1, BD1, HE1, CD1; CHC Planning Principles (2016) – 01, 03; Chichester Harbour AONB Joint SPD; Borough Design Guide; Langstone Conservation Area Appraisal.

### **Drainage Engineer**

FRA recognises drainage situation (FZ3). No other observations

## **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: 01/09/2017

Number of representations received: 41 including the Langstone Residents' Association.

### **Summary:**

- 6.1 Langstone High Street is part of all of our national heritage and known nationally, and loved by many as an integral part of an iconic landscape of great aesthetic, historic, and environmental significance. The proposal submitted for No 16 is intrusive, out of keeping with the area, and would have a significant negative effect on the street, the shoreline and the conservation area. The flint boundary wall is under one storey high and the proposed, flat-roofed ground floor extension would be visible from the public realm
- 6.2 The special and sensitive nature of the whole conservation area and the listed building status of the block of three Quay cottages (Nos. 16, 17 and 18) has not been fully recognised - the significance of the gap and then The Royal Oak public house that forms the core of the village along with the Mill and water mill. Introducing modern reflective materials, to this timeless scene is insensitive. A vernacular material would be better - the wooden balcony at the water mill could be used as a template.
- 6.3 Proposed development is out of keeping with conservation area and Grade 2 listing of the property and severely undermines the character of the grouping of three cottages along the quayside, creating an unbroken terrace of properties from numbers 14 to 18 - a view regularly painted and photographed locally. Past and current owners of the three cottages have gone to a great deal of trouble, with the support and encouragement of the Council, to ensure that historic features have been sensitively restored. It is astonishing that such a visibly modern addition could be considered appropriate. Previous alterations to numbers 16, 17 and 18 were permitted only on the basis that the frontage remained unchanged.
- 6.4 Contrary to The "Langstone Conservation Area Review - Character Appraisal and Management Plan" approved in July 2011 and The Village Design Statement (VDS) 2008 and Havant Borough Council's review of the Langstone Conservation Area approved in July 2011. The Village design statement follows a historic settlement pattern, a defined character, a consistent local building style and building materials and an agreed existing roofline, and I would hope this would be seen as a priority over the amenity of a single house to expand.
- 6.5 The Conservation Area Management Plan recommends:  
"Overall, any proposed changes to a building in the conservation area should be sympathetic to the original design, scale, materials and setting of the building and respect the historic grain of development established by the existing plot boundaries and existing historic buildings. As highlighted in Section 7.1.1, unsympathetic extensions can change the form and character of a building significantly, therefore the original architectural characteristics of buildings."
- 6.6 The earlier VDS which was the subject of widespread consultation and gained approval from the whole Langstone Community states in its Guidance that development should "respond to the historic settlement pattern, character, landscape setting, local building styles and materials of the village and respect the existing roofline". A further recommendation urges respect for "scale, design, materials and colour which would have a positive impact on views towards the village from the surrounding area" Additionally it

states that on the waterfront, particular care is needed to ensure that new development harmonises with the neighbouring listed buildings and the general panorama when viewed from land or sea. The current proposals do not reflect either the VDS Guidance or the Conservation Area Management Plan recommendations. These are two documents which relate specifically to Langstone rather than Havant Borough as a whole and should be the most significant in determining the outcome of this planning application

- 6.7 In respect to the 2 storey front extension which the council has already given approval to, not only is this in contravention of current planning guidelines but also the Village Design Statement. It incorporates a full height window and juliet balcony (from a bathroom!) overlooking the harbour, entirely out of keeping with the historic look of the cottage. Both this and the current application make reference to the cottage being a 4 bedroom dwelling and needing more living space for balance. This is factually incorrect - it is in fact 2 bedrooms with a loft/possible 3rd bedroom in the attic space.
- 6.8 There would be no method of controlling the use of the proposed first floor outside area. Furniture and any other items that the current or future occupants chose to store there would be visible through the railings.
- 6.9 The changes are not in keeping with the historic character of these listed buildings and are not in the style of this conservation area, as I believe that the date that the buildings (1700's) were built, roof terraces would not have existed and would not have had iron railings fitted.
- 6.10 The scheme is over development of a very small site attempting to turn the original listed house into a 4 bedroom dwelling and relocating its outside space to the roof of the extension. The proposal closes the gap between this house and the adjacent property obscuring the existing view of trees in the meadow behind the properties and in clear contravention of the concept of maintaining the streetscape of this iconic group of historic buildings in the High Street.
- 6.11 The existing planning proposal is based on the assessment of the property as a four bed dwelling. However bedroom four has been created from a loft conversion for which no planning approval or listed building consent has been given. The submitted plans are therefore inaccurate and invalid under planning legislation. Therefore the applicants should secure retrospective planning approval for the conversion from a three bed property to four bed property before any further large-scale extension is carried out over and above that carried out in 2002.
- 6.12 The rear balcony overlooks and dominates the rear gardens of 15, 17 and 18, eliminating the resident's privacy and natural light for no.15. It would create a heightened sense of intimidating enclosure to 15,17 and 18. Once created, such a feature which would be very apparent from the front elevation to the road might be used for social gatherings and one fears the addition of beach umbrellas or even barbecues.
- 6.13 No guarantee that the planters will contain appropriate, full height planting to prevent obtrusive viewing impacting the privacy of 15,17 and 18 Langstone High Street
- 6.14 Infill of the side passage would mean that the only entry to the rear of the three properties would be via the garden of no 18 which has no road access. At high tide, this would mean no emergency service vehicles could be brought close enough to gain access to the rear of the properties which is clearly unsafe.
- 6.15 There would be an increased risk of flooding in the property's courtyard area to the south; this has frequently flooded, with water normally travelling up the side passage to the rear of the property. The proposed extension would limit this channel, thereby risking greater flooding in the courtyard and, at the same time, prohibiting emergency access to the rear

of the property, while also risking damage to the adjacent property's east-facing wall. Also there would be restricted access in an emergency in order to assist all 3 cottages. Apart from the aesthetics, the question of the inevitable flooding does not appear to have been taken into proper consideration. At present floodwater can flow past the house into the back garden but if an extension fills up that space, the water is likely to flood number 16 downstairs, as well as detrimentally affecting the neighbouring properties. Currently the property relies on side passage to relieve tidal flood height. The properties flood history should be discussed with the Langstone Flood Watch group /Village Association. Current property drainage is ineffective because of damaged underfloor drainage pipe to quayside wall.

- 6.16 Loss of gap between properties would impact structure and prevent application of a bituminous paint to the external surface of boundary wall to no. 15 which faces number 16. The resulting consequence being increased damp, damage to internal decor and ultimately fabric deterioration of the wall itself.
- 6.17 The foundations of No 15 are not substantial and the digging of new foundations so close will have a negative impact both from a structural and drainage viewpoint The reduced gap between the two properties will delay the drying out / drainage process after any flooding. This may also accelerate any deterioration in the fabric of No15 and make any structural rectification of such very difficult. The existing foundations do not go deep, and would be made more vulnerable to water absorption. A minimum three metre gap between structures to allow for future maintenance and restoration based on a full structural survey should be required.
- 6.18 Set a precedent for other developments in the village
- 6.19 I think that this application should be refused but if it goes ahead, hopefully without the balustrade, then the patterned hung tiles, which will need to be removed from the side elevation, should be reused on the new extension in order to make a better match than at present.

**Officer Comment:** *The majority of the points raised are considered in Section 7 below. With regard to access including that for maintenance, and property damage these are civil matters and not material planning considerations. In respect to the number of bedrooms, bedroom 2 is part of a circulation area providing access to other accommodation including the second floor. The status of the accommodation is not impacted by the current proposal.*

## **7 Planning Considerations**

- 7.1 Having regard to the Statutory provisions of the Planning (Listed Building and Conservation Areas) Act 1990, and relevant policies of the development plan, it is considered that the main issues arising from this application are:
  - (i) Principle of development
  - (ii) Impact upon the character and setting of the Listed Building, Conservation Area and Chichester Harbour AONB
  - (iii) Impact upon residential amenity
  - (iv) Adequacy of the site to accommodate the development
  - (v) Flooding
- (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. These

criteria must take account of the Listed nature of the host building, as well as the dwelling within the Langstone Conservation Area and Chichester Harbour AONB.

(ii) Impact upon the character and setting of the Listed Building, Conservation Area and Chichester Harbour AONB

- 7.3 Where development affects the setting of a listed building Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 states: "*In considering whether to grant planning permission, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting ....*". Additionally the Havant Borough Local Plan Core Strategy Policy CS11. 4 states that 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.*". The requirement to protect and enhance is further set out in the Langstone Conservation Area Review - Character Appraisal and Management Plan 2011 and the Village Design Statement (VDS) 2008 guidance which states that development should respond to the historic settlement pattern, character, landscape setting, local building styles and materials of the village with scale, design, materials and colour to have a positive impact on views towards the village from the surrounding area".
- 7.4 All proposals for extension have implications for historic character and fabric. The implications of the internal changes are considered under the listed building APP/17/00929 elsewhere on the agenda. In respect to the external changes, the work the subject of the extant permission would be set back from the frontage and has been designed as a subservient addition to the existing dwelling, with a lower eaves height and fully hipped roof at first floor. The work, which would be constructed in materials to compliment the existing building, is considered not to result in detriment to the Listed Building and the Conservation Area. In respect to the AONB, the proposed front elevation includes a large full length opening with juliet balcony. The Harbour Conservancy has objected to the extent of glazing as it is clear and serves a bathroom, however, the window would be set back from the frontage reducing its dominance, and given this siting it is considered that an adverse impact on public amenities would be difficult to substantiate.
- 7.5 With regard to the garden room and terrace the proposed scheme is of a contemporary design, however, it still acknowledges and respects the form of the primary listed building, being subordinate in terms of scale and proposes materials which while in contrast are not considered to clash with or compromise the historic structure.
- 7.6 In terms of the impact on the surrounding area, which falls within a Conservation Area and AONB, and the requirements of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that with regard to planning proposals affecting a Conservation Area "*special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the area*", the proposed ground and first floor elements previously approved under the 2015 application are modest in scale and of traditional character and considered to satisfy this requirement. The proposed garden room and terrace did not form part of that approval, but would be set back from the frontage, to the rear of the existing boundary wall which provides some, but not total screening, such that only the upper part of the ground floor and terrace railings would be visible above the wall. The manner in which the building is viewed means that it is mainly the upper floor that is seen. The glass balustrading has been amended to a form more traditional in character with black iron railings, which would be visually permeable and preserve the appearance of a gap between properties. As such the character and appearance of the area would on balance be preserved in accordance with section 72.

7.7 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the HBLP (Core Strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

7.8 The main impact relates to the property to the west at No 15. Other than a rear conservatory which lies beyond the rear of the proposed extensions there are no windows in the side of this property. The proposed windows at first floor in the extension facing No.15, as approved under APP/15/00853, would serve a bathroom and en suite. In respect to the rear elevation the proposed first floor window serves an en suite. All windows are proposed to be clear glazed and as they either face the blank wall of the adjacent dwelling, the street or down the garden a condition in respect to obscure glazing could not be substantiated.

7.9 The proposed garden room would not extend beyond the rear of the dwelling, and as such is not considered to result in loss of light or privacy to neighbouring properties. In respect to the roof terrace, such development has potential to result in loss of amenity. The roof terrace as originally proposed, would have enabled views toward the conservatory of No 15 and gardens of the adjacent dwellings, although in the case of No 17 this would be at a fairly acute angle and in the case of No 15 this would be at an acute angle for the conservatory. The garden to No15 lies beyond the 10m deep garden to the application site. Consequently the loss of amenity would be limited. However, in order to lessen the impact the plans have been amended to incorporate screening to the balcony in the form of planters and this also reduces the useable area to the rear reducing the potential of this part of the terrace for people to gather. It is considered that the proposed amendments satisfactorily address the concerns regarding the impact of the roof terrace on the amenities of the neighbouring properties.

7.10 In respect to concerns regarding damp and access for the neighbour to maintain No 15, this is a private matter and not a relevant planning consideration.

(iv) Adequacy of the site to accommodate the development

7.11 The property occupies a relatively small plot, however, the proposed extensions, which will not increase the number of bedrooms, would infill an external store/ passage and the main rear amenity area would not be significantly reduced. It is considered that the works can be satisfactorily accommodated on the site.

(v) Flooding

7.12 The property lies within Flood Zone 3, in an area at risk from tidal flooding from the Harbour. The property currently includes preventative measures with a raised threshold wall within the front garden and removable flood barrier to the front door. The proposal which does not add any bedrooms would not increase the risk to the occupants of the dwelling.

7.13 In respect to measures to disperse flood water additional flood defence measures are proposed with the introduction of a pump within the Courtyard. This pump is to be located within a sump pit which will pump water through a non-return valve to discharge within the existing drain located in the quay wall.

7.14 The Drainage Engineer has assessed the proposal and has no adverse comments.

## 8 **Conclusion**

- 8.1 It is considered that the proposal would preserve the character, appearance and overall setting of the Listed Building, Conservation Area and AONB and that the scheme has a limited and acceptable impact on neighbouring properties. As such the proposal is considered to comply with Policies CS11, CS12 and CS16 - 1c and e of the Havant Borough Local Plan (Core Strategy) 2011 and approval is recommended subject to conditions as requested by the Conservation Officer.

## 9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00928 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 and block Job No 3125, drg No P02  
Existing plans Job No 3125, drg NoEX01  
Proposed plans Job No 3125, drg No P01M  
South Elevation received 13 October 2017

**Reason:** - To ensure provision of a satisfactory development.

- 3 No development shall commence on site until details, including labelled samples (manufacturer, type and where it is to be used) of all external materials (including finishes), have been submitted to, and approved in writing by the local planning authority. Only the approved materials shall be used in carrying out the development.

**Reason:** To ensure the materials and finishes to be used are appropriate, in order to maintain the architectural interest of the listed building and the character and appearance of the conservation area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Notwithstanding the approved plans, the development hereby permitted shall not be commenced until detailed drawings of the new windows and doors have been submitted to, and approved in writing by the local planning authority. The details to comprise:-

a) Plans to clearly identify the window and door in question and its location within the property by cross referencing to an elevation drawing or floor plan for the avoidance of doubt.

b) 1:20 elevation and plan; 1:5 section and full size glazing bar detail.. The details to include the position of the window within the opening (depth of reveal) and method of fixing the glazing (putty or beading)

c) The materials used, method of opening and finishes.

The works shall be carried out in full accordance with such approval and be

retained thereafter.

**Reason:** In order to safeguard the building's special architectural and historic interest and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

### **Appendices**

- (A) OS Location Plan
- (B) Block plan
- (C) South elevation and street elevation
- (D) Proposed Elevations and Sections
- (E) Proposed floorplans
- (F) APP/15/00853 Approved elevations
- (G) APP/15/00853 Approved floor plans