Supplementary Planning Information

HAVANT BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
25 June 2020

I am now able to enclose, for consideration by the Development Management Committee on 25 June 2020 , the following supplementary planning information that was unavailable when the agenda was printed.

Agenda No	Item	
2	**Site Viewing Working Party Minutes** To receive the minutes of the Site Viewing Working Party held on	**1 - 18**
5(1)	**APP/20/00123 - 5 Orange Row, Emsworth, PO10 7EL** Proposal: First floor balcony and replacement spiral staircase **Additional Information**	**19 - 22**

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HAVANT BOROUGH COUNCIL

At a meeting of the Site Viewing Working Party held on 18 June 2020

Present

Councillor: Satchwell (Chairman)

Councillors: Crellin, Lowe, Mrs Shimbart (Vice-Chairman) and Patrick (Standing Deputy)

Other Councillors: Councillor: Patel

Officers: Mark Gregory, Democratic Services Officer
David Eaves, Principal Planner
Steve Weaver, Development Manager
Selina Donophy, Planning Officer
Julia Mansi, Development & Building Control Manager

22 Apologies

Apologies for absence were received from Councillors Howard, Keast and Lloyd.

23 Declarations of Interests

There were no declarations of interests relating to matters on the agenda.

24 APP/20/00123 -5 Orange Row, Emsworth

Proposal: First floor balcony and replacement spiral staircase

The briefing was held given a request by a ward Councillor that this application be determined by the Development Management Committee.

The Working Party received a written report, which identified the following key considerations:

(i) Principle of development

(ii) Appropriateness of design and impact on the character of the Area of Outstanding Natural Beauty

(iii) Would the development preserve or enhance the character and appearance of the Conservation Area

(iv) Impact upon residential amenity significantly to properties sited to the rear (south)

The members received a presentation from the officers outlining the report and familiarising the members with the site, the subject of the application. The Working Party noted that the existing south elevation drawing needed to be amended to reflect the position that there are no existing second floor balconies.

A ward member drew to the members' attention that the fact that a majority of the buildings in the locality were in need of renovation.

In response to factual questions raised by members of the Working Party, the officers advised that:

(a) there were two extant 2 objections to this proposal; a third objection had been withdrawn;

(b) the balcony screen on the west side, facing south, would be 1.8 metres high; the screens on the south and east sides would be 1.1 metres high. Members were advised that the potential impact of the balcony was the main concern of the officers;

(c) the spiral staircase would replace the existing external stairs and a small landing. The main concern was the impact and use of the proposed balcony, which would be more prominent than the existing landing;

(d) the Chichester Harbour Conservancy and the Councils Conservation Officer have been consulted with regards to this scheme and have made no objections. Overall it is considered that the proposal would have a limited and acceptable impact on the character and appearance of Chichester Harbour Area of Outstanding Natural Beauty, and the Emsworth Conservation Area;

(e) clarified that the areas delineated in purple on slide 20 were garage spaces with residential above; and

(f) although the current occupiers of 3 Seaview Terrace supported the application, the Council was required to consider the impact of a proposal on current and future occupants when making a decision.

RESOLVED that, based on the site inspection and information available at the time, the following additional information be provided to the Development Management Committee:

a details of the addresses of the properties shown on slide 16 of the presentation; and

b details of the internal layout and windows of 3 and 4 Seaview Terrace to enable the Committee to understand the degree of overlooking and impact of the proposal on these properties

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The meeting commenced at 2.00 pm and concluded at 2.37 pm

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Chairman

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5 Orange Row, Emsworth

APP/20/00123

First floor balcony and replacement spiral staircase

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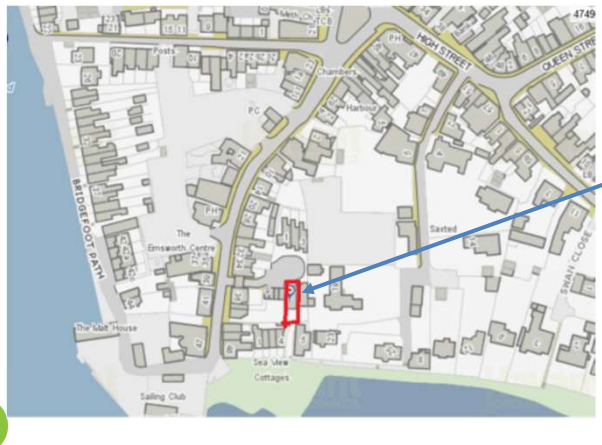
1

Site Location



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Aerial Photograph

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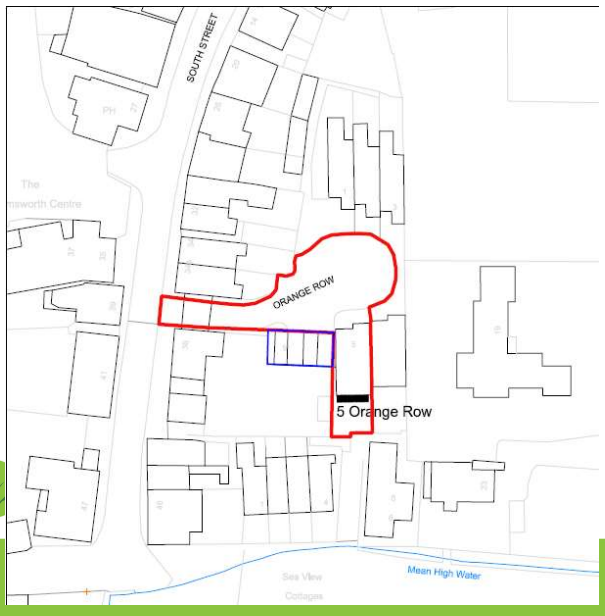
Site location Plan



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Site Plan with balcony and stair case

External access via replacement spiral staircase

Proposed balcony at first floor level

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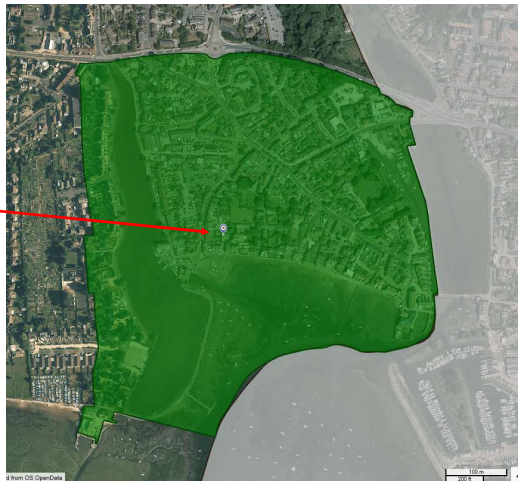
Emsworth Conservation Area

Site



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Area of Outstanding Natural Beauty (AONB)

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Existing and Proposed South Elevation

Existing

Proposed

South elevation | existing

South elevation | proposed

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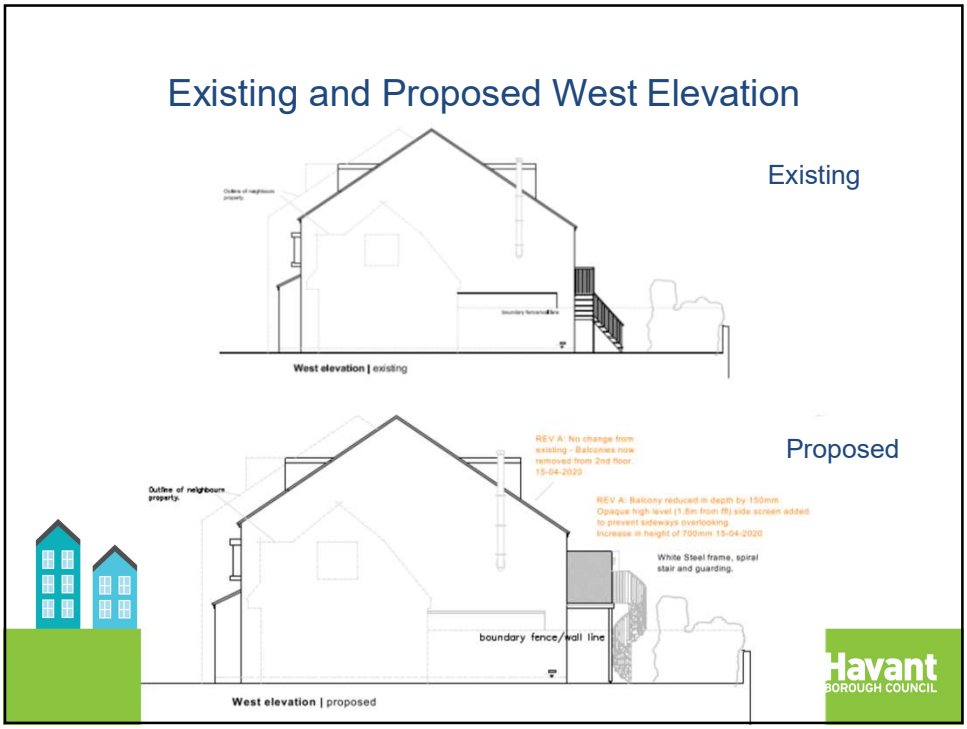
8

Existing and Proposed West Elevation



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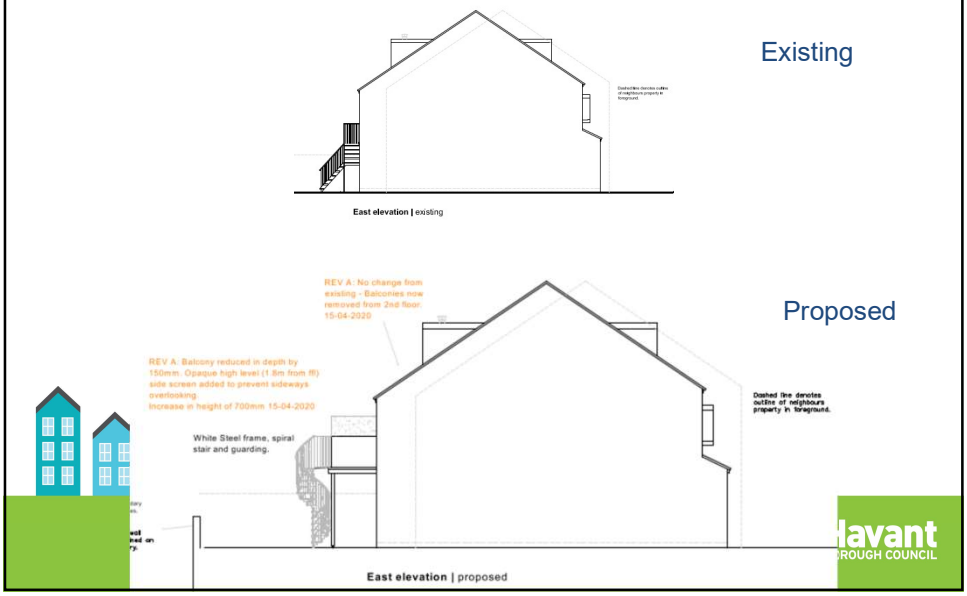
Existing and Proposed East Elevation



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View from South of Existing Rear Elevation

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View from Harbour and west (side) elevation

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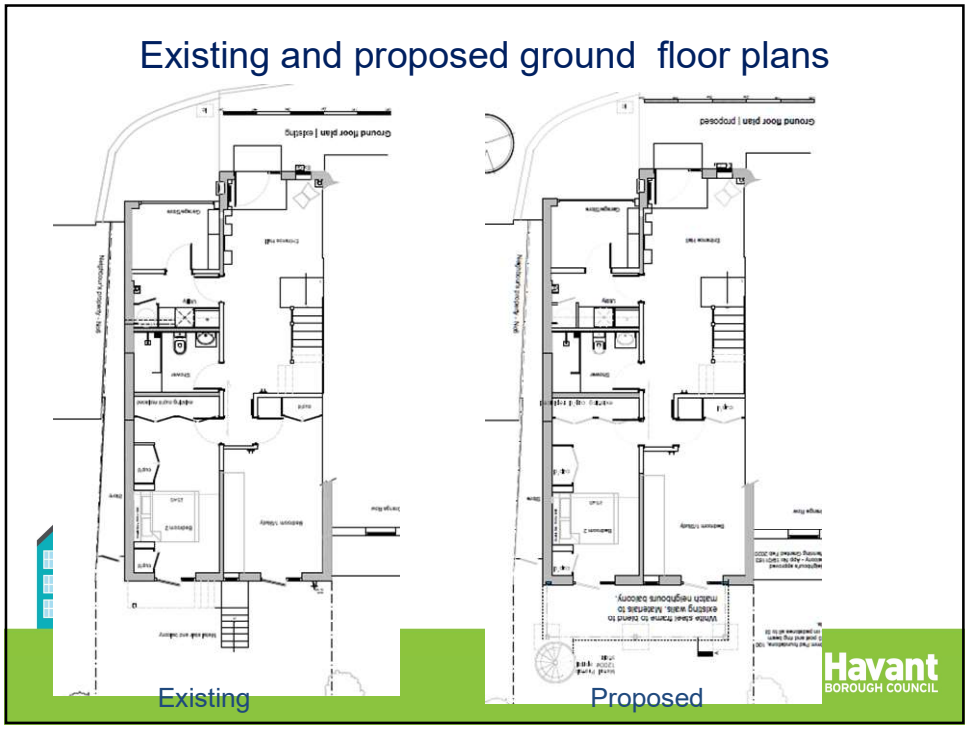
Existing and proposed ground floor plans
Existing
Proposed
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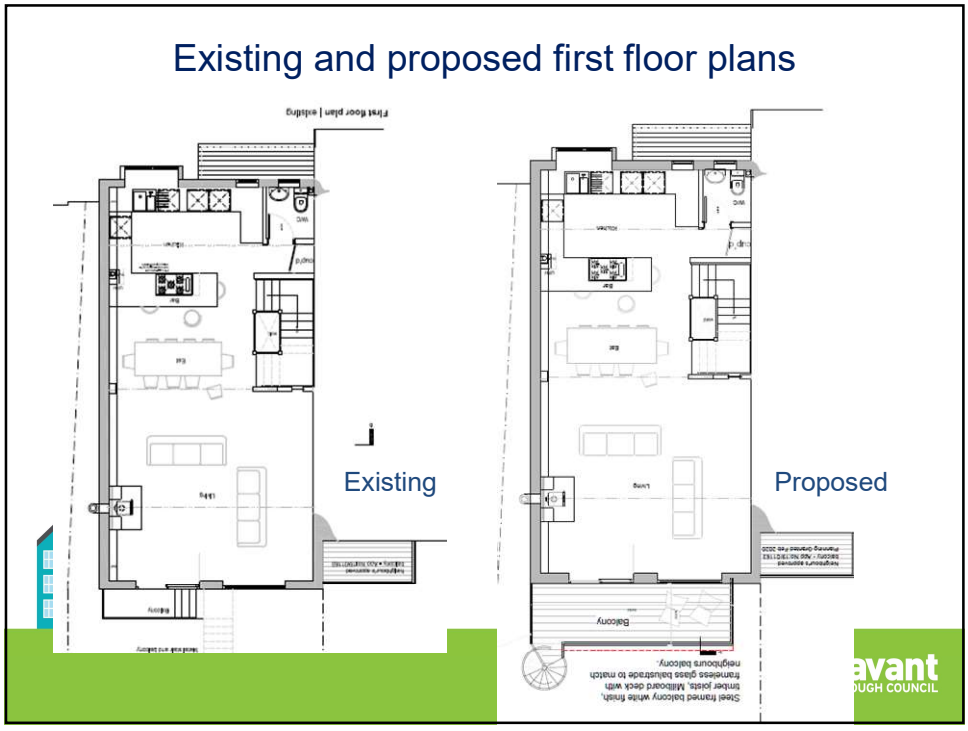
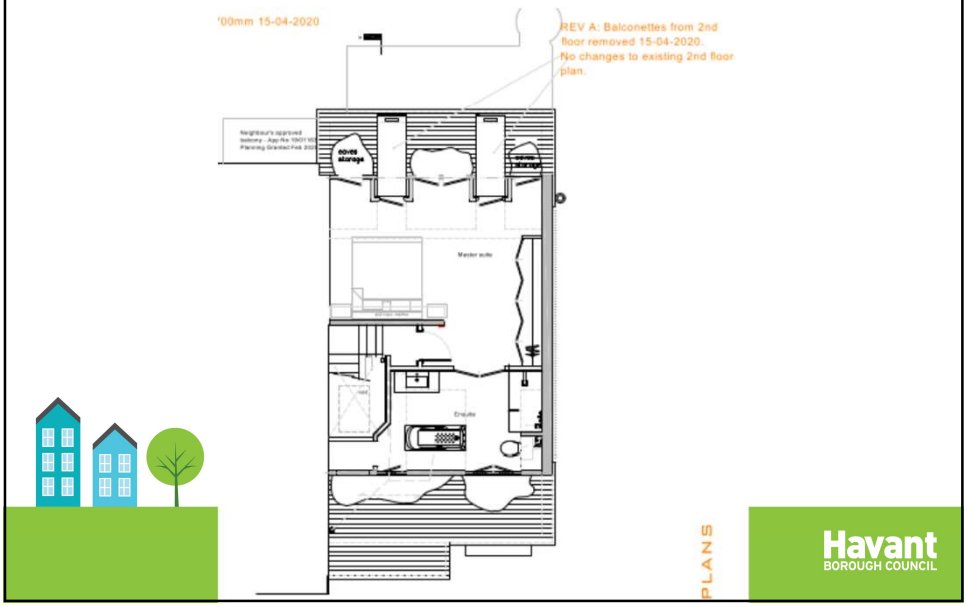
13


Existing and proposed first floor plans
Existing
Proposed

14

Proposed Second Floor Plan (unchanged)



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Agents View Diagram

16

View from 5 Orange Row (first floor eastern window) towards Sea View Terrace

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17

View from 5 Orange Row (first floor fire escape) to Sea View Terrace (taken in relation to previous application)

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Views from rear of 5 Orange Row looking south from first floor level fire escape - view to harbour and 3, 4 and 5 Sea View Terrace (taken in relation to previous application)

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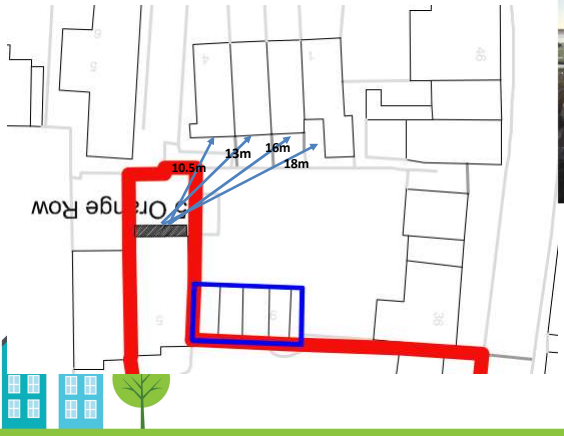
Distance between proposed balcony and rear of Sea view Terrace



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20

Views from No 1 Seaview Terrace (Bedroom) towards No.5 Orange Row

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View from courtyard to rear of Sea View Terrace (photo in relation to earlier application)

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View to west of properties in South Street from first floor balcony (photo in relation to earlier application)

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23

Main Considerations

- Principle of development
- Appropriateness of design and impact on the character of the Area of Outstanding Natural Beauty
- Would the development preserve or enhance the character and appearance of the Conservation Area
- Impact upon residential amenity significantly to properties sited to the rear (south)

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24

Existing and Proposed South Elevation

Existing

South elevation | existing

Proposed

South elevation | proposed

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25

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Deputation from Councillor Lulu Bowerman (21st June 2020)

Introduction

The amended application proposes a simple extension to the existing first floor balcony and fire staircase to the rear of 5 Orange Row.

As a local ward Councillor, I am fortunate to know the setting well and before 'lockdown' in March was able to visit the property to understand the viewpoint from inside the property – an option that has not been possible for members of the DMC. The visit gave me a detailed appreciation of the site context and viewpoint in question. With this in mind, I believe the proposal should be acceptable and have asked for the committee to consider it.

There are 5 points that I would like to highlight for consideration:

1. Overlooking – referring to the site plan in Appendix C of the Committee report. The proposed balcony does not create new views. There are already uninterrupted views towards the south, east and west from 2 full height lounge windows and existing balcony.

I'd like to also draw your attention to the photograph in Appendix G.

This photograph was taken from within the applicant's lounge. Existing views are to the rear of properties in Seaview Terrace and slightly further away, likewise to the rear of several houses on South St.

There are 3 observations I would like to make from my visit to the property:

i) Directly to the south there is a gap and view directly to the sea. Internally it is easy to appreciate that the gap is at least as wide as the subject property. Importantly, this ensures that any views of properties to the south and south west are increasingly oblique rather than square on.

ii) For a resident living in Seaview Terrace this is naturally orientated away from 5 Orange Row towards the sea views (where each have their own south facing balconies). Contrary to the case officers report, the affected rear windows therefore serve very few habitable rooms. Of the 8 first floor windows on Seaview Terrace's north façade, 4 serve stairwells and 2 are obscure glazed.

Notably, owner occupiers of the 5 nearest windows (no's 3&4) have written in support of the application.

iii) Garden walls, mature planting and the slope towards the sea means there is little visibility of the alleyway and backyards in Seaview Terrace.

2. Precedents – Adding to this context, the case officer also highlights the recent precedent (Feb 2020 consent) for an adjacent balcony at no4 Orange Row. This is currently under construction. However, I have seen for myself the view from the

lounge of 5 Orange Row that there are also two further first floor balconies in plain view at 42&44 South St.

These are not mentioned in the officer's report. Both are less than 5m from bedroom and kitchen windows of 1 Seaview Terrace and similarly overlook the garden of no40. In summary, in this small area there are already 3 directly comparable precedents supporting the application.

The case officer's report considers that this application does not comply with HBC's standard design guidance for "back to back" separation distances. Neither did the recently consented balcony application next door or the additional 2 balconies. Such guidelines are obviously not applicable to established properties in close proximity within Emsworth's historic central core.

3. Overbearing – the balcony has been carefully designed to appear lightweight with white, slimly proportioned supports. The glass will be non-reflective and frameless, ensuring it blends into the existing white rendered rear façade of no5. This is an improvement on the existing balcony and fire escape arrangement, which is functional but not aesthetically pleasing to look at. The specification will follow the same high-quality design precedent recently approved next door at no4 Orange Row.

Importantly, the Conservation Officer states that the balcony's "impact would be negligible" and "meets the test to preserve and enhance the character of the conservation area". Conservation clearly supports the proposal and agrees that the design will not be overbearing, either from the applicant's garden or from neighbouring properties. Chichester Harbour Conservancy concurs with this opinion

Indeed, it is noted that both Consultees supported the original, more significant, application before the proposal simplified further by the following amendments.

4. Amendments – the applicant has shown goodwill and significantly simplified the original application to address overlooking concerns raised by the case officer in 3 ways:

> Firstly, the proposed second floor balconettes have been omitted - as these created new downward views.
>
> Secondly, the depth of the first-floor balcony has been slimmed by 150cm - to reduce perceived impact.
>
> Thirdly, a 1.8m full height, opaque side panel has been added on the western end of the balcony - to increase privacy.

I'd like to draw your attention once again to the site plan provided in Appendix C. The existing balcony currently provides uninterrupted views to the south, east and west, with no privacy screens. The amended proposal now incorporates a 1.8m high privacy screen across the full depth of the western side of the balcony. This actually creates "betterment" by reducing existing views to the west and south west as shown

by the turquoise splay on the left-hand side of the plan. Hence the proposal complies with Policy CS16 which states:

"All development should demonstrate that its design does not cause unacceptable harm to the amenity of neighbours through the loss or privacy or overlooking."

These 3 amendments significantly improve the application and this opinion is echoed by the weight of positive public comment detailed in the case officer's report.

5. Community Involvement – the case officer summarises that there are 7 formal supporters and 2 objectors. This positive response was emphasised following public consultation to the amended design. Notably, at this most recent stage, written support included the 5 properties potentially most affected by the proposal, ie:

- The 2 adjoining neighbours at 4&6 Orange Row
- The owner occupier of both 3&4 Seaview Terrace - the nearest 50% of the parade and whom the officer highlights as the most impacted by the proposal
- And 40 South St - whose garden dominates the environment.

Neither of the 2 original objectors submitted any comment following the amendments.

Conclusion

After detailed consideration, I fully support this application. This is with the benefit of knowing this area well and also having carried out an internal inspection of 5 Orange Row and the view from the rear of the property.

The case officer lists 5 planning considerations, 4 of which of which are already deemed acceptable, namely:

(i) **Principle of development** – accepted and supported by Conservation and Chichester Harbour ANOB approval.

(ii) **Appropriateness of design and impact on the character of the area** – accepted. Confirmed as not resulting in an adverse impact on the visual amenity of the locality and meeting policies CS11 and CS16.

(iii) **Impact on the ANOB** – notably, even the more significant original proposal was accepted by Chichester Harbour Conservancy.

(iv) **Impact on the Conservation Area** – similarly, the Council's Conservation Officer concluded that the materials and quality of design are in keeping with the area.

It is only the fifth consideration - **Effect on neighbouring properties** – where the case officer has concluded that even the simplified proposal will be "overbearing", would lead to increased "overlooking", and would have "an unacceptable impact on surrounding properties, most notably in Seaview Terrace".

I would like to respond to each of these 3 points in turn:

a) “Overbearing” – I am in agreement with the expert opinions of the Conservation Officer and Harbour Conservancy. The replacement balcony will be high quality, slimline and glass dominated, in contrast to the current more functional balcony and staircase.

b) “Overlooking” – importantly the same rear views of neighbouring properties are already available from the existing 2 full-length lounge windows and existing small balcony. Indeed, the amended opaque side panel will actually restrict current vistas and improve the amenity of neighbouring properties in accordance with policy C16.

   When I visited 5 Orange Row, I was also able to see the 2 additional first floor balconies within the courtyard area. There is also a third under construction next door.

   3 precedent cases also clearly demonstrate that standard back to back design guidance distances for overlooking are not applicable in this setting.

   Refusal would be inconsistent with the recent approval of an adjacent balcony at no. 4 Orange Row.

c) “Unacceptable impact on surrounding properties, most notably Seaview Terrace” – neighbours understand the context very well. In this respect, a dominance of support letters have been received, most notably from the 5 closest properties.

   An example is useful. The case officer’s report concludes by particularly highlighting the potential impact no’s3&4 Seaview Terrace - as it contains the nearest windows and represents the nearest 50% of the parade. However, these are rear windows so the owner occupiers of no’s3&4 have written in support, specifically stating - “we are not overlooked by these proposals”.

In summary, I believe all these points are very significant to this planning application and show that is not contentious and satisfies all 5 planning considerations.

Thankyou.