
Site Address: Langstone Lodge, 1 Langstone High Street, Havant, PO9 1RY

Proposal: Demolition of existing dwelling and erection of a replacement dwelling, designed to match the extended form of dwelling as approved in 2022.

Application Type: Full Planning Permission

Application No: APP/24/00121 Expiry Date: [03/05/2024](#)

Applicant: Mr Denton

Agent: Ms S Roberts Case Officer: Tina Pickup
 Critchley Architecture and Design

Ward: St Faiths DMC Lead Member

Reason for Committee Consideration:

Density:

HDS Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 Langstone Lodge is a substantial detached two storey dwelling with accommodation in the roofspace, located in extensive grounds, enclosed by a high brick wall, on the east side of Langstone Road, accessed off Langstone High Street. Within the site there is also a detached garage that has ancillary living accommodation above, sited in the south-eastern corner, to the side of number 2a The Mews, Langstone High Street.
- 1.2 The site lies outside the defined urban area by policies AL2 and CS17 and is therefore within the non-urban area for planning policy purposes. The site is within both the Langstone Conservation Area and Chichester Harbour National Landscape (formerly AONB). To the north of the dwelling, within the garden area are two trees protected by TPO's - a beech and an oak. Part of the site falls within current flood zones 2 and 3, whilst the whole site lies within the future flood zone. To the east, The Paddocks at Langstone, is designated a Local Green Space by policy AL8.
- 1.3 The existing dwelling is not Listed, but is mentioned in the Langstone Conservation Area Review Character Appraisal and Management Plan 2011 as a building that makes a positive contribution to the Conservation Area. In this document the building is described as:

"This is a large detached dwelling set in a large plot which is accessible from a shingle driveway leading up from Langstone High Street. It was thought to have been built in 1875 as one of three large houses to be built at that time on Langstone Road. The boundary of this property forms the boundary of the conservation area with Langstone Road. It is a well preserved house from that period and is arranged over two storeys with pitched roof dormer windows on the front roof slope. It is of brick materials with a cream painted render frontage and bay window at ground floor level with Victorian sash windows. As a result of its well preserved appearance, materials and historic setting, it is considered that Langstone Lodge is a building which could be considered for inclusion on the list of Buildings of Local Interest. "

- 1.4 Whilst the building was never formally included into Havant's list of 'Buildings of Local Interest', it is nevertheless a 'Non-Designated Heritage Asset' (NDHA) by virtue of the definition of a heritage asset contained within the NPPF. It is a notable example of a large Victorian villa, complete with its setting of a large, landscaped garden that makes a valuable contribution to the Langstone Conservation Area.
- 1.5 Notably the existing house has planning permission for extensions and alterations approved under APP/21/01322 in September 2022. Works have commenced on these through the demolition of the previous single storey elements that were to be replaced/altered. As part of these works the property has been gutted internally with all floors and ceilings now stripped back to just timber supports, and all staircases removed etc. Essentially the dwelling is currently a shell, with the original external facades remaining intact. Works have currently ceased on site pending the determination of this application.

2 Planning History (excluding applications for tree works)

00/51864/009 - Continued use of garage and loft over as offices, TPP,27/10/2000
 97/62764/000 - Single storey extension to south elevation, PERM,19/09/1997
 96/51864/006 - New dormer on north east elevation (Retrospective)., PERM,24/09/1996
 95/51864/005 - Continued Use of ground floor of garage as offices, insertion of patio doors in rear elevation and renewal of PP No. 94/51864/4 to continue using first floor of building as offices., ,06/06/1996
 94/51864/004 - Renewal of planning permission ref: 93/51864/2 to continue use of office above garage as marketing company., TPP,26/04/1994
 92/51864/001 - Conversion to two dwellings, WD,19/05/1992
 93/51864/002 - Use of office above garage for marketing company and retention of dormer to north elevation of garage., ZHIS,21/05/1993
 03/51864/011 - Renewal of temporary planning permission 00/51864/009 to allow the continued use of garage and loft over as offices., TPP,10/12/2003
 06/51864/014 - Erection of a timber framed garage for 3 cars, including the felling of a tree within Langstone Conservation Area., WD,10/01/2007
 06/51864/013 - Conversion, extension and change of use of existing garage block to 1No. 3 bedroom detached house with integral single garage and altered access to Langstone High Street., WD,10/01/2007
 07/51864/015 - Minor alterations and conversion of annex to a separate 2/3 bedroom dwelling., WD,28/02/2008
 APP/20/00072 - Replacement windows in south west elevation., PERM,01/04/2020
 APP/20/00794 - Single storey six car garage and turning area., WD,20/04/2021

APP/21/01322 - Demolition of existing single storey additions; extensions and alterations including part single, part two storey extensions to NE elevation with terrace; and single storey to NW elevation; repositioning of the main entrance stone portico., PERM,06/09/2022

also another current application:

APP/24/00345 - Proposed extension to existing outbuilding/annex to form additional living accommodation.

3 Proposal

- 3.1 Demolition of existing dwelling and erection of a replacement dwelling, designed to

match the extended form of dwelling as approved in 2022.

- 3.2 The supporting documents include a structural survey by Hockley & Dawson Consulting Engineers, which highlights that in their opinion previous alterations and additions to the structure have been poorly designed and executed leaving the building vulnerable. It is alleged that all the defects, taken as a whole, would require significant and complex temporary support if the building is to be repaired, which would be hazardous, and it would be safer to carefully record, dismantle and reconstruct.
- 3.3 The proposal is therefore for the demolition of the existing structure and its replacement with a new dwelling, to closely match the extensions previously approved in 2022. The replacement dwelling would have the same footprint as approved under APP/21/01322 and would be similar in size, design and materials to the existing dwelling plus approved extensions. It would be located in exactly the same location as the existing building but the finished floor level would be raised to improve flood resilience, resulting in the ridge height being about 0.5m higher than existing.
- 3.4 Internally the layout changes significantly from the existing layout, and there are some internal changes from the approved extensions under APP/21/01322, but relatively modest ones. Externally one barn hip has become a full gable end, some windows and doors have been altered, but opening widths and styles are generally respected. The previously approved small first floor terrace on the NE elevation would be significantly enlarged to become a full width first floor terrace, with associated additional safety railings.
- 3.5 Proposed materials have been stated to include white painted stucco render, clay roof tiles with traditional leadwork to flat roof areas; painted timber double glazed windows, timber doors and aluminium powder coated rainwater fittings.

4 Policy Considerations

National Planning Policy Framework

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL8	(Local Green Spaces)
AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Chichester Harbour Management Plan (2019 - 2024) Third Review

Policy 1 - Conserving and Enhancing the Landscape
Policy 2 - Development Management

Chichester Harbour Planning Principles 2019 - 2024
PP03 - Replacement Dwellings and Domestic Householder Extensions
PP09 - Dark Skies

Chichester Harbour Area of Outstanding Natural Beauty Joint Supplementary Planning Document, July 2017
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Listed Building Grade: Not applicable.
Conservation Area: Langstone

5 Statutory and Non Statutory Consultations

Building Control

Report following detailed site visit:

The structure has seen several changes within its life which has left areas of its structure in a poor state of repair due to poor workmanship undertaken while doing this work.

During the site inspection the following was noted:

- Spread has occurred within the roof area due to removal of walls and supporting timber elements resulting in inadequate restraint being provided.

Possible Solution The most likely cause of action is to remove these sections and rebuild as new providing adequate support while undertaking stitching work to the brickwork to tie structure back together as part of the rebuild.

- Internal supporting timber beams and floor members should be inspected on a floor-by-floor level as some areas are showing poor connection / condition due to age, previous alterations and where roof has issues.

Possible Solution These areas should be checked and replaced as necessary.

- End gable does show signs of movement (bowing outwards) this is likely due to installation of concrete lintels in loft area in a lime mortar structure cracking visible in this location.

Possible Solution Remove lintel and replace using correct mortar and restitch brickwork together.

- Wall tie failure is not an unknown event no clear failures could be directly linked to this at ground or first floor regarding bowing or cracking in wall structure visible in these areas.

Possible Solution Installation of new wall ties is a possible solution should the need arise.

Please note my possible solution are exactly that it is likely other methods could be applied to resolve these issues.

While I am not a structural engineer and would welcome a third parties' structural engineers review of Hockley & Dawson report alongside photos taken and a possible site visit. I am under the impression that the building can be saved and will not need to be demolished to resolve the issues outlined. During discussions on site the engineer

did not indicate as per his report that the building could not be saved in fact it was mentioned that the building could be saved at a cost.

The engineers report allows for repair works to be undertaken within the roof area to support it to an adequate level. I am sure further investigation at lower levels could also find solutions to issues raised regarding rebuilding or stitching brickwork together. The cost of repair in economics terms over the cost of a new build is not something I can comment upon.

See photos in full report available on case file

Chichester Harbour Conservancy

No Objection with Conditions

This is an attractive period property set in large open grounds which makes a positive contribution to the Conservation Area and Chichester Harbour National Landscape. The front and sides of the building are visible from Langstone Road and the top of Langstone High Street (from opposite the entrance driveway), as well as from the public footpath leading across Langstone Meadows, from where the rear of the property is visible.

Whilst we consider it is regrettable to demolish the existing building due to its historic relevance and character (as raised in some of the representations), we would defer to the Council's expertise with regard to whether there is sufficient justification to demolish the existing building.

From an AONB / National Landscape perspective, the replacement of the existing building, if done to accurately replicate the original building in all respects (including materials, finishes and detailing) in its approved extended form, would not be harmful to the natural beauty of the landscape, provided suitable conditions are included to secure appropriate materials, safeguard the AONB's Dark skies and wildlife, and to ensure that soft landscaping is retained and managed/enhanced. We also support the comments of the Council's Ecologist regarding the need for an ecological assessment to determine the impact of the proposed demolition and construction works on protected species, and for biodiversity enhancement features and landscaping to form part of the proposed works.

see case file for recommended conditions

Community Infrastructure, Planning Policy & Urban Design

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.
An application for self build relief has been submitted.

This application relates to a replacement dwelling. As there is no net increase in dwellings, SRMS and Nutrient Neutrality will not apply.

Conservation Officer

Site / Location

The application site is situated in Langstone, a historic village just north of the Hayling Bridge. It is located on the corner of Langstone High Street and Langstone Road. It comprises a large, detached dwelling, set back from the road, within substantial grounds, enclosed by a 2m (approx.) high brick wall and entrance gates from Langstone High Street.

The property is part one, part two-storey with accommodation in the pitched roof space and has been altered and extended in various ways since its construction in the late C19. The

exterior is partly rendered, part exposed brickwork. On the main entrance there is a stone portico. On the southwest facing elevation, there are ground floor bay windows. The property features sash windows however, many of these are non-original. With the grounds there is a detached garage building, close to the main entrance from Langstone High Street.

History of Langstone Lodge

The property was estimated to have been built around 1875, as one of the three houses along Langstone Road, by the family of the Rector of Havant, George Robert Mountain. The other houses are; Woodfield (now Grade II listed) and Langbrook. Langstone Lodge is first identified on the 1897 ordnance survey map.

Prior to the submission of the application, the property has been gutted internally, with all staircases removed. A previous visit to the property by council officers in 2022, when it was habitable, revealed that minimal original fabric remained internally (some of this had been replaced with good quality replicas i.e. fireplaces, skirting boards etc). As a result of these alterations, the building would be highly unlikely to meet the criteria for statutory listing by Historic England for a building of this period. It is still however a notable and recognisable example of a large Victorian villa, complete with its setting of a large, landscaped garden to the north and represents part of the growth and prosperity of Havant and Langstone at that time.

Due to its historic and architectural interest, the building is highlighted within the Langstone Conservation Area Appraisal and Management Plan (CAAMP) as a 'positive building' and at the time of the appraisal in 2011, was considered to be worthy of inclusion on the list of Buildings of Local Interest.

Whilst this local listing designation was not carried through at the time, the building is considered to be a 'Non-Designated Heritage Asset' which is defined in the NPPF (Annexe 2) as:

'Buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets'.

The Langstone Conservation Area was first designated in 1975 and last reviewed in 2011. It is a designated heritage asset. It has significance as an area of special architectural and historic interest, where the character and appearance is considered worthy of preservation or enhancement. It has a unique waterside setting, with a number of important listed buildings which has evolved due to its location as the original harbour to Havant. It is also an area of important ecological habitats and within the protected landscape of Chichester Harbour.

Legislation

When assessing the proposal, the following legislation and policy context is taken in consideration.

Listed Building and Conservation Areas) Act 1990

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires

planning authorities, when considering whether to grant planning permission for development which affects a **Conservation Area**, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

National Planning Policy Framework (revised November 2023)

Chapter 16 of the NPPF relates to **the Historic Environment** including paragraphs 195 – 214. The building subject to this application is not listed but is deemed to be a non-designated heritage asset (as set out in the introduction) and therefore the following paragraphs are most relevant to the determination of this application:

Para 207 states that:

*‘where a development will result in **substantial harm to, or total loss of**, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 208 requires this harm to be weighed against the public benefits of the proposed development*

Para 208 states that:

*‘Where a development proposal 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 including, where appropriate, securing its optimum viable use’.*

Para 209 states that:

‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.

Havant Borough Local Plan (Core Strategy 2011 and Allocations Plan 2014)

Policy CS11 – Protecting and Enhancing the Special Environment and Heritage of the Havant Borough

Policy CS11 (4) states that planning permission will be granted for development which:

‘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’.

Policy CS16 – High Quality Design

Policy CS16 (1a) of the Core Strategy states that:

‘Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

- a) *Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site'.*
- b) *Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;*
- c) *Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;*
- d) *Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and*
- e) *The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*

Policy DM20 (Allocations Plan) - Historic Assets

Policy DM20 states that;

'Planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement that:

- 1. Describe the significance of the asset and its setting, using appropriate expertise and where necessary original survey, at a level of detail proportionate to its significance and sufficient to understand the potential impact of the proposal.*
- 2. Sets out the impact of the development on the heritage assets and mitigation that is proportionate to the impact and the significance of the heritage asset, including where possible positive opportunities to conserve and enjoy heritage assets.*

Assessment

The proposal is to demolish the existing dwelling and replace it with a replacement dwelling, designed to match the extended form of the dwelling, as per previous planning permissions granted in 2022. The replacement dwelling would overall appear very similar to the existing, but with a raised floor level height of approx. 0.5m.

As set out earlier in this response, Langstone Lodge is identified as a NDHA within the boundary of a designated heritage asset – Langstone Conservation Area.

The classification of the building as a NDHA, brings into effect para 209 of the NPPF. The demolition of the asset would result in a substantial harm to its significance. A balanced judgement would mean that such harm could only be supported when it is clearly justified that the heritage asset cannot be retained. Which in the case of this application, is because of its structural condition. This is the case being put forward by the two reports which accompany the application.

1. Findings of Heritage Statement by RPS:

This application has been submitted with a Heritage Statement by RPS Heritage. The report assesses the significance of the building and finds it to have 'historic interest'. It concludes that:

*'The proposals will therefore lead to harm to the significance of the conservation area which, when considered in the context of the conservation area as a whole, will be 'less than substantial harm' in magnitude. This harm should be considered in the context of the numerous changes seen to the building through the 20 and 21st centuries and the current and the structural defects, which collectively mean that comprehensive repairs and stabilisation works would be unduly hazardous. **The demolition and reconstruction of the building is therefore necessary**, and it is recommended that a programme of Historic Building Recording, to be secured by condition, is undertaken in advance of this demolition'.*

Whilst the report does find that the loss of the building would result in less than substantial harm to the conservation area (as a designated heritage asset), it does not define the building itself as a non-designated heritage asset and therefore does not assess the harm of the total loss of this asset. It justifies the harm to the conservation area by concluding that the demolition of the building is necessary as its comprehensive repairs and stabilisation works would be unduly hazardous.

2. Findings of Hockley and Dawson Structural Survey:

The application is also accompanied by a structural report carried out by Hockley and Dawson Consulting Engineers. The report advises that:

'There is clear evidence of many phases of alteration and addition to the structure, all in a rather arbitrary manner with multiple changes in floor level, materials, and form. A significant amount of the previous work being exposed is of poor quality and detrimental to the structural integrity of the building'.

And in summary:

'Whilst all of the defects, if they were singular deficiencies, are in themselves individually repairable, taken as a whole, they will require some significant interventions, including the dismantling and reconstruction of large sections of defective masonry, the replacement of floor structure and the complete reordering of most of the roof. These interventions will need to be combined with other structural strengthening measures to ensure that the building is sound, fully restrained, and competent.

'These works, if carried out to the extant structure, will require significant and complex temporary support if the existing building is to be repaired and reordered in-situ. Work of this nature is of necessity complex and hazardous with a very clear methodology required and the work to be carried out in and around significant temporary structure to ensure that it remains a safe working environment. The structure will be very vulnerable whilst this work is attempted, and we feel it may be an effort that will not prove to be successful given the nature of the defects'.

*'Given the current condition of the building and the amount of structure that will need to be replaced we feel that this is **unnecessarily hazardous to install complex temporary structure and attempt a competent repair**. The building will be very vulnerable during these works and particularly at risk as the support is transferred from the existing structural system, such as it is, to the temporary support'.*

The information therefore presented within the application is that the building has numerous identified defects and that it would be unnecessarily hazardous to attempt a competent repair to the building in its current state, hence the proposal to demolish and rebuild to the design proposed.

HBC Building Control Officer Review:

As a result of the structural issues being given for the proposed demolition, further advice was sought from the Council's Building Control Officer, who advised the following:

'I am under the impression that the building can be saved and will not need to be demolished to resolve the issues outlined. During discussions on site the engineer did not indicate as per his report that the building could not be saved in fact it was mentioned that the building could be saved at a cost. The engineers report allows for repair works to be undertaken within the roof area to support it to an adequate level. I am sure further investigation at lower levels could also find solutions to issues raised regarding rebuilding or stitching brickwork together'.

'While I am not a structural engineer and would welcome a third parties' structural engineers' review of Hockley & Dawson report alongside photos taken and a possible site visit'.

Third Party Review:

Based on the advice from the BC Officer, a third party review of the Hockley and Dawson structural survey was commissioned, which included a site visit to the building and assessment of its current structural condition. This was carried out by VKHP Consulting – Structural Engineers.

In summary, this review also found there to be numerous structural defects within the building however, it concluded that:

*'The majority of the structure appeared to be in good condition with no signs of foundation movement or significant instability of the structure as a whole. The re-use of the building will require a new steel frame or similar alternative solution to re-support the roof structure, crack stitching, rebuilding of local areas of masonry, a new steel frame to the north east elevation and replacement of some timber elements internally among other repair works. A series of temporary works structures will be required to safely complete these works, but we anticipate that the design and execution of these works is not beyond the ability of a competent temporary works designer and general contractor. **It is the opinion of vkhp that the sum of these defects and subsequent repair works does not warrant the demolition of this structure'.***

Summary

Based on the further assessment by VKHP and the view of the Building Control Officer, it

appears that building could be repaired, albeit with a competent contractor and therefore, would avoid the substantial harm to a NDHA.

1. Impact on the designated heritage asset – Langstone Conservation Area:

Langstone Lodge is located within the Langstone Conservation Area and its proposed demolition would result in 'less than substantial harm' to the significance of the conservation area, as a result of the loss of a NDHA, having existed on the site since the late C18 in its current position, albeit with various alterations since its construction.

However, given that the proposal for the new dwelling is very similar to the existing property, albeit higher, this level of harm is lessened to a degree, to the medium-low end of the scale within 'less than substantial harm'

Level of harm to the Langstone Conservation Area – Less than substantial at the medium to lower end of the spectrum.

2. Impact on the NDHA – Langstone Lodge (1 Langstone High Street):

Due to its local historic and architectural interest of parts of the external facades, Langstone Lodge is deemed to be a non-designated heritage asset. Applying a balanced judgement (as per the requirement of para 209 of the NPPF), it's total loss would result in substantial harm to the significance of the NDHA.

Without clear and convincing evidence that the only option left for the building is to demolish it and rebuild, the LPA is not able to support the loss of the NDHA in this case.

Level of harm to the NDHA – Substantial harm.

Conclusion

OBJECTION

Reasons for refusal to be discussed with the case officer and a further response to follow with the suggested wording.

Crime Prevention

None received

Ecologist

The application is not accompanied by any ecological information. Previously, ecological assessment was carried out in relation to proposals for single-storey extensions (APP/21/01322). The latest proposal entails the demolition of the entire structure and I consider it likely that protected species such as roosting bats and nesting birds will be present. The dwelling exhibits a range of features with potential to support bat access, egress and roosting opportunities, including a complex roof structure with traditional clay roof materials, sections of hanging tiles, and is likely to contain large roof void areas. The building is situated within a location containing optimal bat habitat such as mature trees and grassland. There are numerous records of bat species locally. The previously submitted ecological survey is not adequate for these new proposals.

On that basis, I would recommend that the applicant provides an ecological assessment, to be provided by a qualified ecologist. The Chartered Institute of Ecology and Environmental Management (CIEEM) (www.cieem.net) holds a database of suitably qualified ecologists. An ecological assessment will determine whether there is any evidence of protected and notable habitats and species, and whether the proposed works are likely to result in impacts to those habitats and species. Unless the qualified ecologist can conclude that there is no reasonable likelihood of protected habitats and species being present (due to negligible potential) or that if present they are not to be impacted by the works, it is likely that further ecological survey work will be required prior to determination of any application. The results of any further surveys should be used to provide an assessment of the likely ecological impacts of the proposed works and to inform any mitigation, compensation and enhancement measures. I would expect the redeveloped site to include, where required, biodiversity enhancement features such as bird and bat boxes and for landscaping proposals to include appropriate native species plantings.

NPPF, Circular 06/2005 and Natural England Standing Advice, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the Local Planning Authority prior to determination, particularly in the case of protected sites, habitats and species, which are a material planning consideration. This will enable the Local Planning Authority to determine the application on the basis of full knowledge about the potential ecological impacts of the proposal and to ensure that any impacts can and will be mitigated.

Environment Agency

None received

Hampshire Highways

Due to the scale of the proposal, being 5 dwellings or less, and that there is no new vehicular access on the public highway, HCC's standing advice should be referred to in the first instance. As a result, the Highway Authority will not provide detailed comments on this planning application. For more information on standing advice please use the following link: www.hants.gov.uk/transport/developers/consultation

HCC Arboricultural Consultancy

None received

Natural England

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have a likely significant effect on designated sites in the Solent, including:

- Solent and Dorset Coast SPA
- Portsmouth Harbour SPA and Ramsar Site
- Chichester and Langstone Harbours SPA
- Solent Maritime SAC
- Solent and Southampton Water SPA

Your Authority will need to undertake a Habitats Regulations Assessment (HRA) to determine whether the proposal is likely to have a significant effect on the sites named above, proceeding to the appropriate assessment stage where significant effects cannot be ruled out. The following information is required to inform a HRA:

- Consideration of this project's effects on total nitrogen and/or total phosphorus nutrient loading within the Solent catchment, including a nutrient budget calculation.
- Details of proposed mitigation measures to address any nutrient impacts, including appropriately funded management and monitoring, and details of how the measures will be secured for the lifetime of the development.
- Any other likely significant effects that could arise from the development should also be assessed.

Once the above information is obtained, please consult Natural England on any appropriate assessment your authority may decide to make.

Officer Note: in light of the recommendation to refuse this has not been undertaken, although it is noted that replacement dwellings on a 1:1 basis do not normally have a significant effect on designated sites.

Norse South East

None received

Southern Gas Network

None received

Waste Services Manager

None received

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: 15

Number of site notices: 1

Statutory advertisement: 22/03/2024

Number of representations received: **10 in total - 6 Objections** (including one from Langstone Village Association); and **4 support**

Comment	Officer Comment
Objections:	
<u>Historical interest</u> Langstone Lodge was built in 1875 by the wealthy, Rector of Havant's family, who also built Woodfield and Langbrook, and the family is commemorated in a large stained-glass window in St Faith's Church; Miss Louisa Brooke Barber is known to have lived there; Lodge linked to the Mews in Langstone High Street, where its 1823 coach house still stands. Nos. 2, 2a and 2b Langstone High Street, were built later to house the housekeeper, chauffeur, and gardener.	History of house noted

Langstone Lodge, Langstone Towers' cupola-topped building and attached Chapel, and the estate cottages 3 to 7 High Street were all built in the 1870s and represent an important period in the development of Langstone Village, following the opening of Langstone railway station in the 1860s, and every effort should be made to protect and preserve them. An iconic and significant residential building; at the entrance to Langstone village and within Conservation Area. In 2011 Havants Conservation Officer recommended that the Lodge be included in the list of buildings of local interest; represents years of local history and should be saved, restored and cherished for future generations. it has had several significant occupiers, including Charles Longcroft (Havant solicitors) and high-ranking naval families, including an aide-de-camp to Queen Victoria who became President of the Royal Naval College at Greenwich.	Agreed - see section 7 re designation as a Non-Designated Heritage Asset
<u>Notes on structural stability</u> unable to verify how and why the property has changed hands several times in the last 10 years and passed several inspections but has suddenly become so structurally precarious; previous proposal note house is well maintained; structural report is client bias; property can easily be repaired	Noted - see section 7 and third party structural report
<u>Completion of plans</u> concerned that little power to oblige the owner to complete the rebuild as is; could submit entirely different plans for multiple buildings rather than complete the proposed rebuild; Recommend a condition that the owner signs a covenant to restrict parcels of land to single residence with appearance being visually the same on a like for like basis; do not want Langstone Lodge to go the way of the railway cottages at 59 and 61 Langstone Road, still not rebuilt after a fire 6 years ago	Noted - see section 7 No legal agreement offered by applicant
<u>Structural Engineers Report</u>	

clear from the structural engineers' report that the separate alterations to the house, could all be remedied; appears that there are problems with the property, which could be rectified, and they should be	Noted - see third party structural report
<u>Restoration</u> Would support plans to restore without demolishing; the trouble with a facsimile is that it is, in effect, a fake, and it cannot replace the character that the present building contributes to the distinctive, historic Conservation Area.	Noted
<u>Character</u> a substantial and imposing mid-Victorian house, set in large grounds that can be enjoyed when viewed from Langstone Road, Langstone High Street and the Local Green Space to the rear of the property.	Noted and agreed
<u>Pre-application advice</u> Noted to include an objection to the demolition and rebuilding of Langstone Lodge by the Conservation Officer, because of the unjustified 'substantial harm in heritage terms' that would be caused.	Confirmed
<u>NPPF</u> Paragraph 202 of the NPPF states that 'Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the asset should not be taken into account in any decision'.	This is a correct quote of para 202 of the NPPF and its content noted
<u>Harm to Conservation Area</u> Demolishing Langstone Lodge would seriously harm the character and appearance of the Heritage Asset that is Langstone Conservation Area and would fail to enhance it, therefore planning permission to demolish and replace it should be refused.	See section 7
Supports:	
<u>Current condition</u> significant imposing landmark with deep historical roots and sad that currently unstable; sad to see roof	Noted

sagging and rear half demolished owners have taken care and attention to restoring the building back to its original glory;	
<u>Safety</u> no reason to object if unsafe; to leave would become a risk and eventual eyesore; If demolition and full rebuild is the only way then should support.	Noted
<u>Amenity</u> would not impact neighbouring amenity	Agreed
<u>Fate of Railway Cottages</u> Any objection may end exactly the way of the railway cottages - a dreadful condition including unsightly portacabins; should learn from that occurrence and avoid falling into further derelict state risking collapse	Noted
<u>Replacement benefits</u> replacement replicating its original grandeur is best course of action broader benefits to community of supporting - would preserve its historical significance and ensure continued contribution to the cultural fabric of Langstone would seamlessly integrate into the architectural fabric of the neighbourhood, preserving the charm and character of Langstone Lies in over 3 acres and rebuild would safeguard against alternative development plans that may compromise the sites beauty Important to restore to once again be enjoyed as a home	Noted

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 Heritage asset
- (iii) Impact upon the character and appearance of the area, including National Landscape (formerly AONB)
- (iv) Impact upon residential amenity
- (v) Trees
- (v) Ecology
- (vi) Parking

(i) Principle of development

7.2 The application site is located outside the defined urban area and as such the more restrictive rural policies of the NPPF apply. However the application is for a replacement dwelling and would not result in an additional dwelling in the countryside. As such there is no objection in principle to the proposal which must be considered on its merits having regard to relevant legislation, policies and material considerations.

(ii) Impact on Heritage Assets

7.3 In this case the development proposals are also subject to the statutory requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

7.4 Heritage assets are defined in the NPPF and can be both designated and non-designated:
 "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)".

7.5 Langstone Conservation Area is a designated heritage asset and is significant because it encapsulates a historical hamlet that evolved around the harbour, being an important port prior to any bridge to Hayling Island. The 1865 railway line transported goods from the ships to Havant and London. Development continued and by the late 19th century examples of larger dwellings that represented the prosperity of the era were constructed, including Langstone Lodge.

7.6 Langstone Lodge is considered to be a 'Non-Designated Heritage Asset' (NDHA) and is significant as a notable example of a large Victorian villa and its grounds, built as one of three large houses by the Rector of Havant, George Robert Mountain. Its history to the village of Langstone is important locally, and as an individual building in a unique setting, it makes a positive contribution to the Langstone Conservation Area. Therefore, in this case there are two heritage assets, Langstone Conservation Area itself, and Langstone Lodge as a NDHA, and the impact of the development on both these assets must be considered.

7.7 In this instance, to determine the application, it is considered necessary to understand the justification for the proposal, which is that following numerous previous alterations the building has become in need of so many repairs that they cannot be undertaken safely.

7.8 The submitted structural report by Hockley & Dawson notes the poor quality of

previous work, detrimental to the structural integrity of the building. It provides photographic examples of various cracks, bulging, poor bonding, loose masonry, various mortars, random voids, minimal wall ties, decayed timber elements with wet rot, lack of support to the roof affecting horizontal and lateral loads etc. The report does provide a plan showing a possible strengthening solution to support the existing roof structure and does note that all of the defects are in themselves individually repairable. But it places considerable emphasis on the fact that taken as a whole, all of the defects will require significant intervention and temporary support if the building is to be repaired safely. It concludes and recommends that the recording, dismantling, reconstruction and reordering of the building would provide a safer and more satisfactory structural and architectural solution.

- 7.9 The LPA considers this report to be ambiguous because it suggests that a repair is possible, but that demolition would be the safer option, rather than being the only option. Since planners are not qualified structural engineers in a position to challenge this report, the view of the Council's Building Control officers were first sought. A site visit was held with a representative of Hockley & Dawson and Building Control which proved equally inconclusive because it was acknowledged that a repair was possible, at a cost. Building Control also noted some defects in the building, including spread, bowing, wall tie failure etc, but in each instance considered individual repair was possible.
- 7.10 Since Building Control officers are qualified surveyors and not structural engineers, and the ambiguity in the need for the demolition remained, the LPA then sought a third party independent review of the building from VKHP-Consulting civil and structural engineers, as a second opinion on the recommendations from Hockley & Dawson. Following a detailed site visit by a suitably qualified structural engineer, their report concludes that whilst "structural defects could be identified, the majority of the structure appeared to be in good condition with no signs of foundation movement or significant instability of the structure as a whole". Their report acknowledges the repair will involve a new steel frame or similar to support the roof as well as crack stitching, rebuilding some areas of masonry, some replacement of timbers etc and temporary structures will be required to safely complete the works. But notably they "anticipate that the design and execution of these works is not beyond the ability of a competent temporary works designer and general contractor. It is the opinion of vkhp that the sum of these defects and subsequent repair works does not warrant the demolition of this structure."
- 7.11 In light of this second opinion, the LPA are of the view that the building does not need to be demolished, and that alternative repair options are available. It is considered that there are options to save the historic fabric and history of the building, and as such the impact of the proposal on the two heritage assets can be assessed as follows:
- 7.12 In terms of the impact on the Conservation Area it is noted that the proposal is for a replacement dwelling that would closely resemble the existing with approved extensions, and as such it is the entire finished development that must be considered. Whilst the ridge height would increase by about 0.5m, otherwise the overall siting, scale, massing and appearance of the proposed replacement dwelling in its context would be very similar to the existing dwelling plus approved extensions under APP/22/01322. The most significant difference would be the introduction of the larger first floor terrace with its associated safety rails that would affect the appearance of the NE elevation, but since these safety rails would mainly be seen against the backdrop of the dwelling itself and not enlarge the silhouette of the property, then their impact on the Conservation Area is considered negligible.

- 7.13 However the original building fabric would be lost and however good a replacement it would nevertheless be a replica using modern materials. It would also be sited 0.5m higher which would make it slightly more prominent in views. These subtle changes would alter the vibe and character of the building itself, and it is considered that these subtle changes in character would have some limited impact on the visual appearance of the Conservation Area. This would equate to a 'less than substantial harm' to the significance of the Conservation Area, at the lower end of the spectrum. Paragraph 208 of the NPPF requires that to justify any 'less than substantial harm' to a designated heritage asset, the harm must be weighed against the public benefits to secure an optimum viable use. There are no public benefits to this proposal whatsoever - any benefits are purely private to the applicant.
- 7.14 Therefore it is considered that the proposed replacement dwelling that closely resembles the original, but set 0.5m higher, would have some limited impact on the character of the Conservation Area. Since the demolition is not considered necessary, and it is considered that the building could be repaired and saved, and there are no public benefits to the proposal, then the proposal would not preserve the character of the Conservation Area. Policy CS11 clause 4 requires developments to protect and enhance statutory and non-statutory designated heritage assets and policy DM20 requires development to conserve and enhance historic assets. It is considered that the proposed demolition and replacement would not protect, conserve or enhance the Conservation Area and as such the LPA are of the view that the less than substantial harm that would arise from this development would be contrary to policies CS11 and DM20 and without any public benefit would be contrary to paragraph 208 of the NPPF.
- 7.15 However, third party comments are noted that raise concern over the scenario that the property is demolished but not rebuilt as currently proposed, and instead alternative plans submitted for a different development. To demolish without replacing would result in substantial harm to the Conservation Area, and this is a concern shared by the LPA. Notably paragraph 210 of the NPPF states that "*Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.*" This paragraph does not distinguish between designated and non-designated heritage assets and is therefore relevant to the potential harm to the Conservation Area. Had permission been recommended then some form of condition or legal agreement would have been explored to try to secure the rebuild progressing as approved, but the LPA powers in this respect are limited.
- 7.16 But any alternative plans would also have to be assessed against Section 72 of the Listed Building and Conservation Areas Act and also have to preserve or enhance the Conservation Area. It should also be noted that if demolished first, and not re-built as approved, then any subsequent application for a new dwelling of a different design would no longer be a 'replacement' dwelling as there would be no existing house on the site to be replaced. As such the consideration of that new dwelling application on a flood risk site, in a Conservation Area, would have to be considered on its merits having regard to these constraints. It is also noted that a Section 93 'completion notice' could be served in relation to any uncompleted development, although these notices can be appealed, and if not complied with after 12 months, result in the relevant planning permission becoming invalid, which would not necessarily help the aim here.
- 7.17 In terms of the impact on the NDHA paragraph 209 of the NPPF requires a balanced

judgement to be made having regard to the scale of any harm or loss, and the significance of the heritage asset. Langstone Lodge represents an important phase in the history of Langstone with some notable occupiers linked to Havant and Queen Victoria, as noted by the third party comments. The proposed demolition would result in the total loss of this history and what Langstone Lodge represents to the local area. Since the LPA are of the opinion that the need to demolish the building based on safety grounds of cumulative repair works is not justified then the scale of the loss to the NDHA would result in substantial harm to the significance of the heritage asset. This would be contrary to advice in paragraph 209 of the NPPF and policies CS1 and DM20 which seeks to protect, conserve and enhance historic assets.

- 7.18 It should be noted that the costs associated with the repair of a private dwelling are not material considerations. Hence any argument that it would be more cost effective to demolish and rebuild rather than repair are not relevant to the determination of this application. The applicant has made a conscious decision to clear and gut the internal of the dwelling based on a private budgeting decision which is not the responsibility of the LPA.
- 7.19 Overall it is the opinion of the LPA that the proposed demolition of Langstone Lodge and its replacement is not justified as the only option available, and would result in less than substantial harm to the significance of Langstone Conservation Area as a designated heritage asset, and without any public benefit this harm would be contrary to paragraph 208 of the NPPF. The proposal would also result in substantial harm to the significance of the Non-Designated heritage asset which is considered contrary to paragraph 209 of the NPPF and would not protect, conserve or enhance the historic asset as required by policy DM20 of the Havant Borough Allocations Plan, and policy CS11 of the Havant Borough Core Strategy.

(iii) Impact upon the character and appearance of the area including National Landscape (formerly AONB)

- 7.20 The site also lies within Chichester Harbour National Landscape (formerly AONB) and as an attractive period property set in large landscaped grounds, makes a valuable contribution to the landscape. It is visible above hedge lines from the open space to the east at Langstone Meadows. The proposed dwelling would be replaced to closely match the existing plus approved extensions, but raised approximately 0.5m to improve flood resilience. In the scale of the landscape and setting of the site, this additional height would be marginal and not considered to have any adverse visual impact on the character of the area or the National Landscape.
- 7.21 Policy CS12 of the Havant Borough Core Strategy requires development to conserve the special qualities of the AONB and its setting. Also of relevance to the determination of this application is policy PP03 of the Chichester Harbour Planning Principles which relates to replacement dwellings and householder extensions. Since the proposal would not result in any increase in size or mass beyond what has already been approved under APP/21/01322, and would be of a similar scale and design, then it is considered that the aims of this policy are met.
- 7.22 Chichester Harbour Conservancy have been consulted and raise no objection in principle, but suggest a series of conditions regarding materials, ecology etc. Overall it is considered that the proposal would conserve the special qualities of the National landscape (AONB) and its setting. The development is therefore considered to meet the requirements of Policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, as well as policy PP03 of the Chichester Harbour Planning Principles.

(iv) Impact upon residential amenity

- 7.23 The finished design would be similar to that already approved under APP/21/01322. Under that application it was noted that the closest residential dwellings are to the south and separated by a generous distance. The enlarged first floor terrace included in this application would be on the North East elevation to benefit from the long distance views over to the sea and would not result in any overlooking of any other dwellings.
- 7.24 Two previously approved first floor windows on the front, South West, elevation are proposed to become opening doors onto small terraces formed in the bays of the ground floor windows below. The outlook from these terraces would largely be to Langstone Road, with a distance of about 30m to the nearest dwelling 2a the Mews. This separation would be sufficient to mitigate against any potential overlooking or loss of privacy.
- 7.25 Overall it is considered that the design and layout of the proposed replacement dwelling would not result in any harmful impacts on neighbouring amenity. Therefore it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(v) Trees

- 7.26 There is a TPO Beech tree to the north west of the site and a TPO Oak tree to the north east. The Arboricultural information that was previously submitted and accepted under APP/21/01322 has been updated to take account of the demolition. Whilst no consultee response has been received from HCC Arboricultural team on this application, it is likely they would raise no objection subject to the same condition ensuring compliance with the AMS and tree protection plan as imposed on APP/21/01322. Since the application is being recommended for refusal on other grounds confirmation of this has not been sought.
- 7.27 Overall it is likely that the development would make adequate provision for the conservation and enhancement of trees on the site, in accordance with Policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011.

(vi) Ecology

- 7.28 No ecological information has been submitted, despite the fact that a preliminary ecological assessment was previously undertaken in connection with the extensions application APP/21/01322. Since the building has now stood vacant for several months with parts exposed due to the commencement of APP/21/01322 and associated areas of demolition, then there is an increased chance of protected species such as roosting bats and nesting birds being present.
- 7.29 Paragraph 186 of the NPPF states:
When determining planning applications, local planning authorities should apply the following principles:
a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission

should be refused;

7.30 Clauses 2 and 8 of Policy CS11 also seek to protect ecological interests and states planning permission will be granted for development that::

"2. Protects and where possible enhances the borough's statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest....".

"8. Protects wildlife habitats and wildlife corridors to prevent the fragmentation of existing habitats and to allow species, for example Brent Geese, to respond to the impacts of climate change by making provision for habitat adaptation e.g. coastal managed realignment and species migration."

7.31 In the absence of an updated ecological survey of the site taking account the current condition of the building and the proposal for complete demolition, then it has not been satisfactorily demonstrated that the site does not provide suitable habitat for protected species. As such the proposal could result in significant harm to biodiversity and wildlife habitats which is contrary to paragraph 186 of the NPPF and policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

7.32 With respect to the new requirement for Biodiversity Net Gain, this became mandatory for new applications received from 12 February 2024 for major development and from 2 April 2024 for small sites. This application was received on 13 February and as a small site pre-dates the BNG requirement. Notwithstanding this, as a self-build project the proposal would be exempt from BNG.

(vii) Parking

7.33 The original dwelling had 7 bedrooms (8 if a mezzanine is counted) but following the extensions and internal reconfiguration approved under APP/21/01322 the property would only have 5 bedrooms, albeit some significantly larger with the master bedroom including a private sitting room - which in some circumstances might be treated as having the potential to be a bedroom. But it is noted the dwelling is set in extensive grounds with a detached garage aswell as ample room for the parking of many cars. The Parking SPD only specifies up to 4+ bedroom dwellings, which require 3 on site spaces, so it is considered that the development complies with this SPD and policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011.

8 Conclusion

8.1 It is considered that the submitted justification and structural report by Hockley & Dawson for the demolition of this Non Designated Heritage Asset within Langstone Conservation Area is ambiguous and does not adequately demonstrate that demolition is the only option to bring the structure back into a safe and habitable condition. The LPA are of the view, following professional input from independent structural engineers, that whilst repairs are necessary, they are possible. Since Langstone Lodge is a NDHA then the option of repair has to be preferable to demolition, which would result in substantial harm to the significance of the NDHA. Furthermore the proposed replacement dwelling, being a modern facsimile set 0.5m higher, would marginally change the appearance of the dwelling in the Conservation Area and with no public benefit this is not justified and contrary to paragraph 208 of the NPPF.

8.2 Therefore the LPA cannot support the proposal for the demolition and replacement of Langstone Lodge as a NDHA, which would be contrary to both paragraphs 208 and 209 of the NPPF and would not protect, conserve or enhance either the Conservation

area or Non-Designated historic asset as required by policy DM20 of the Havant Borough Allocations Plan, and policy CS11 of the Havant Borough Core Strategy. The application is therefore recommended for refusal on heritage grounds.

- 8.3 Additionally, due to the lack of up-to-date ecological information there is also potential that the proposed development would be harmful to biodiversity, habitats and species, and the application is therefore also recommended for refusal on ecological grounds.

9 RECOMMENDATION:

That the Head of Place be authorised to **REFUSE PERMISSION** for application APP/24/00121

(A) for the following reasons

- 1 Langstone Lodge is a non-designated heritage asset significant locally for its historic associations and as a notable example of a large Victorian villa, complete with its setting of large landscaped grounds, that makes a valuable contribution to the Langstone Conservation Area. Based on the submitted documents, clear and convincing justification for the proposed demolition of Langstone Lodge has not been provided , and its demolition would result in substantial harm to the significance of the non-designated heritage asset. This would not protect, conserve or enhance the locally significant historic asset and is considered contrary to policy CS11 of the of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 206 and 209 of the National Planning Policy Framework.
- 2 Langstone Lodge and its setting make a positive contribution to Langstone Conservation Area, and its demolition and replacement with a modern facsimile with less articulation, set 0.5m higher, would result in some limited harm to the character and appearance of the Conservation Area. This would not preserve the character of the Conservation Area which would result in less than substantial harm to the significance of the Conservation Area, for which there is no public benefit. Based on the submitted documents, clear and convincing justification for the proposed demolition of Langstone Lodge has not been provided , and the proposed development would not protect, conserve or enhance the Conservation Area and is considered contrary to policy CS11 of the of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 206 and 208 of the National Planning Policy Framework.
- 3 No ecological information has been submitted and in the absence of up-to-date ecological information it has not been adequately demonstrated that the site does not provide suitable habitat for protected species. The proposed development, including demolition of the existing dwelling, could result in significant harm to biodiversity and wildlife habitats, which is contrary

to paragraph 186 of the NPPF and policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

Appendices:...