

on the widening of the road junction. The pub's name acknowledges an earlier coaching inn of the same name, but on a different site on East Street. (The earlier inn was one of seven Havant inns recorded in 1784, and was demolished in 1888). Stallard was a prolific local architect whose many Havant buildings include the War Memorial (1922, Grade II) and Congregational Church (1891). He was appointed Surveyor to Havant Rural Sanitary District in 1891. The building remains in use as a public house at the time of writing (2014).

Details

Public house, 1889 by Alfred Edwin Stallard, designed after the manner of R. Norman Shaw.

MATERIALS Construction is of red brick in English bond with terracotta dressings, applied half-timbered gables and tiled roofs.

PLAN The White Hart is a corner pub of two-and-a-half storeys. The original plan is unclear, but may have comprised two principal spaces, a main tap room entered from the corner entrance, and a saloon or parlour accessed from North Street. The corner entrance is not presently in use, and the central window on East Street has been enlarged into a door, whereas the original entrance on North Street remains. The ground floor interior presently comprises a single space served by a panelled public bar. Access to the upper floors is gained from a double flight staircase to the north.

EXTERIOR East and North Streets have almost identical fronts of three bays, separated by a canted and recessed corner bay. Wide and narrow bays are alternated, with the former receiving more elaborate architectural treatment. There is a continuous plinth and string courses at sill and first-floor levels. Ground-floor openings have a three-centred arch with gauged voussoirs and a continuous hood-mould. The outer bays have recessed, three-light casement windows with a geometric pattern of glazing bars above the transom. Beneath the windows are decorative terracotta panels in the Jacobethan manner.

The second floor is tile hung with upper courses in a fishscale pattern. The corner bay has a terracotta panel below a moulded brick architrave with swan neck pediment. The outer bays have prominent, canted oriel windows of 'Ipswich' type, with margin lights and patterned glazing bars in the heads. The intervening windows are of two transomed lights. Over the oriels, and supported on ornate brackets, are bold gables with plain bargeboards and applied and painted half-timbering. Between the gables are pedimented dormer windows. The roof is covered with red tiles and surmounted by decorative ridge tiles. The end walls have elaborate chimney stacks with corbelled brick courses.

INTERIOR The ground-floor interior presently comprises a single space served by a panelled public bar with barley-twist columns. Walls are either lined to cornice height in panelling or have a matchboard dado. On the ground floor there are cast-iron fireplaces and grates. A double flight staircase to the north has turned newels and balusters.

* Pursuant to s.1 (5A) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') it is declared that the later extension that adjoins the original building at its north-east corner is not of special architectural or historic interest.

- 1.3 The building is located within St Faiths Conservation Area as well as the identified Town Centre of Havant (policies CS4 and AL3) and its western elevation where it

fronts North Street is designated a primary Frontage (policy AL3). As a former Amusement Centre the lawful use of the ground floor is Sui Generis. There are residential flats on the upper floors, accessed via a pedestrian side alley running between the buildings north elevation and the side of 2 North Street. This side alley also provides a pedestrian access into the ground floor of the application site.

- 1.4 The site lies outside any current or future flood zones.

2 Planning History

96/52764/003 - Single storey rear extension and use of part of first floor as extension to public house. Removal of fire escape and dormer and reinstatement of fenestration , PERM,27/06/1996

96/52764/004 - Relief of Condition 5 of Planning Permission 96/52764/3 to alter roof layout and roof materials, PERM,18/10/1996

95/52764/001 - Single storey rear extension and use of part of first floor as extension to public house, REF,26/07/1995

95/52764/002 - Single storey rear extension and use of part of first floor as extension to public house, WD,27/12/1995

APP/13/01066 - Change of use from Public House (Use Class A4) to Amusement Centre (sui generis) and Bingo Hall (Use Class D2)., PERM,20/12/2013

APP/14/00835 - Conversion of existing first and second floor to form 4No. 1 bedroom flats, UNK,

APP/17/00249 - Conversion of upper floors from single residential unit to form 4No. flats (3No. 1 bedroom, 1No. 2 bedroom flats)., PERM,24/07/2017

APP/17/00250 - Listed Building Consent for conversion of upper floors from single residential unit to form 4No. flats (3No. 1 bedroom, 1No. 2 bedroom flats) and internal alterations., PERM,24/07/2017

APP/17/01088 - Conversion of upper floors from single residential unit to form 4no. 1 bedroom flats and 1no. studio flat (Approved 22/02/2018). Request to Discharge Condition 4 (07.03.2018)., PERM,22/02/2018

APP/17/01104 - Listed Building Consent for conversion of upper floors from single residential unit to form 4No. 1 bedroom flats and 1No. studio flat (Approved 22/02/2018). Request to Discharge Conditions 3, 4, 5, 6, 7, 8, 9, 10 and 11 (07/03/2018)., PERM,22/02/2018

APP/18/00266 - Discharge of Conditions - SEE APP/17/01104 AND APP/17/01088., UNK,

APP/19/00603 - Application for variation of condition 2 of Listed Building Consent APP/17/01104 to vary approved plans., PERM,05/08/2019

APP/19/00613 - Variation of Condition 2 of Planning Permission APP/17/01088 to account for the as built variations requested by Building Inspector., PERM,15/08/2019

APP/23/00350 - Change of use of existing Golden Slots to Convenience Store and part demolition and conversion of outbuildings to 2 No. 2bed apartments plus 2 car spaces., WD,12/07/2023

APP/23/00388 - Listed Building Consent for part demolition and conversion of outbuildings to 2 No. 2bed apartments., WD,12/07/2023

And other current application on the site:

APP/23/00852 - Partial demolition of rear outbuilding to provide alterations and extension of ground floor premises to create 4 no. supported living flats (class C3 (b)) with communal spaces, staff accommodation & refuse and bicycle storage. Listed building conversion to include alterations to internal layout and alterations to external window openings.

3 Proposal

- 3.1 Partial demolition of rear outbuilding to provide alterations and extension of ground floor premises to create 4 no. supported living flats (class C3 (b)) with communal spaces, staff accommodation & refuse and bicycle storage.
- 3.2 The proposal would convert the main ground floor core of the historic building into 2 self-contained 1 bedroom flats, each having direct access from the road via the original pub doors, as well as internal access to a communal social space with staff sleepover area. The rear linking building would be raised in height with a recess/indent in its west facing wall, to allow the formation of 2 further self contained 1 bed flats, each of which would have their living space on the ground floor and bedroom and en-suite in the roofspace, lit and ventilated via rooflights. Rear pedestrian access would be possible to both these flats from The Pallant and within the red lined area at the rear would be 2 parking spaces - only one of which would serve the development - the other is for residents of 5/7 East Street.
- 3.3 To enable this development the older brick and tile store at the rear would first be demolished, aswell as part of the more modern link outbuilding. The proposed amenity area, cycle store and refuse area at the rear, as well as the 2 parking spaces would be provided in part on the land exposed by the demolition.
- 3.4 The development would provide Social Housing and specialist assistance to facilitate independent living for younger adults who need some element of care/support. It is anticipated that there would be 1 member of staff on duty during the day (between 7am and 10pm) and 1 waking night staff. The central communal social space would enable the client group to mix outside their individual flats and access staff support. This would be a Class C3 (b) use class.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

St Faith's Conservation Area Appraisal & Management Plan, Part 1 - Introduction, 2007

St Faith's Conservation Area Appraisal & Management Plan, Part 2 - Appraisal, 2007

St Faith's Conservation Area Appraisal & Management Plan, Part 3 - Management Plan, 2007

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS4	()
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM7	(Elderly and Specialist Housing Provision)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

Community Infrastructure

CIL

The CIL Charging Schedule refers to the following evidence base: Extra Care Housing Toolkit published by the Care Services Improvement Partnership.

Having viewed the Toolkit, provided the information contained within the Planning, Design and Access Statement provided with the application at Paragraphs 4.1.1 and 4.1.2 translate to the plans, the scheme as presented is not CIL Liab as it can be considered Extra Care Housing.

Pending a response from Natural England on the HRA, instructions should be passed by the Case Officer to the CI Team to:

(a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking. However, firstly the Case Officer would need to consider the ("Definitive") Solent Recreation Mitigation Strategy (SRMS), details accessed from:

www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy

See extract taken from the strategy below:

"6.9 The need for mitigation for the recreational impact of other types of residential accommodation will be assessed on a case by case basis by the local planning authority. The key "test" is based around the likelihood of the proposed development generating additional recreational visits to the SPA(S). For example, residential accommodation designed specifically for elderly people a developer contribution (or bespoke mitigation) will be required for apartments for the active elderly but not for secure accommodation such as a residential nursing home for people who are unable to independently leave that accommodation and which does not provide residents parking or allow pets (this would also apply to people living with conditions that limit their mobility). However, mitigation may be required for any staff living on site. Retirement properties designed for independent living with parking provision and which allow pets will be treated the same as C3 residential properties"

The current scale of charges is available on our website using the link above. The rates are indexed at 1 April each year.

(b) Issue the Nutrient Neutrality Unilateral Undertaking. See <https://www.havant.gov.uk/nitrogen-developers>

Conservation Officer - on Original submission

Site

The application site is located at the crossroads in Havant town centre and on the corner junction of North Street and East Street. The site comprises a 2 ½ storey building of historic construction known as the White Hart Public House. The building was listed in 2017 by Historic England listing for the following reason:

*'The White Hart of 1889 by Alfred Edwin Stallard is listed at Grade II for the following principal reasons: * Architectural interest: an exuberant example of a late-Victorian corner pub designed by a noted local architect; the exterior combines vernacular elements with polite features associated with the Queen Anne revival; * Group value: the White Hart has strong group value with the Grade II listed Havant War Memorial, also designed by A.E. Stallard, and with St Faith's Church (Grade II*)'.*

The building is constructed from red brick in an English bond with terracotta dressings, applied half timbered gables and a clay tiled roof. The building comprises 2 ½ storey, with access to the upper floors being located on a separate staircase to the north of the building. The building previously had a corner entrance but this has not been in use for some time and separate entrance doors on North Street and East Street. As described in the listing:

'East and North Streets have almost identical fronts of three bays, separated by a canted and recessed corner bay. Wide and narrow bays are alternated, with the former receiving more elaborate architectural treatment. There is a continuous plinth and string courses at sill and first-floor levels. Ground-floor openings have a three-centred arch with gauged voussoirs and a continuous hoodmould. The outer bays have recessed, three-light casement windows with a geometric pattern of glazing bars above the transom. Beneath the windows are decorative terracotta panels in the Jacobethan manner'.

The building retains the original windows on the front façades which are decorative, painted, timber framed, single glazed windows. At ground floor, the windows and doors are set in decorative, gauged voussoirs. Each window and door has a curved, top section of glazing with a unique framing design. On the windows, the central top pane is capable of being opened, although these are currently fixed shut. Beneath each window is a recessed brick, decorative panel.

Further to this, there is a building attached to the northeast corner of the listed building which is linked internally by a punctuation in the north wall. This is a relatively modern building and not of any historical merit. Attached to the northeast of this link building, is a further building which would have originally been an outbuilding, but now attached to the link building. The façade which is visible from the rear of the site shows this brickwork to be more historic in character and with a different, style of clay tile roof. Given its historic character, this is considered to be a non-historic heritage asset, however it is noted that it is not in an overly good state of repair.

Proposal

Partial demolition of rear outbuilding to provide alterations and extension of ground floor premises to create 4 no. supported living flats (class c3 (b)) with communal spaces, staff accommodation & refuse and bicycle storage.

Legislative and Policy Context:

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

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act") requires local planning authorities to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest when considering whether to grant listed building consent.

Section 66 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 listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The need for the decision taker to attach considerable or special weight to the desirability of preserving the setting of listed buildings has been reinforced through two recent high court decisions of: *Barnwell Manor Wind Energy Limited vs. East Northamptonshire District Council et al* (2014); and *North Norfolk District Council vs. DCLG and Mack* (2014). The above statute and its subsequent and consistent interpretation in recent high court decision emphasises the need for the policies of the NPPF to be implemented whilst always having regard to the need to give special or greater weight to the preservation of the setting of a listed building.

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. NPPF The revised NPPF (December 2023) sets out in Chapter 16, the core principles relating to development affecting Heritage Assets that local planning authorities should consider in making planning decisions in the following paragraphs:

195. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

200. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

202. Where there is evidence of deliberate neglect of, or damage to, a heritage asset,

the deteriorated state of the heritage asset should not be taken into account in any decision.

203. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

205. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

206. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

207. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- (d) the harm or loss is outweighed by the benefit of bringing the site back into use.

208. 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.

Local Plan

Local planning policy comprises the adopted Havant Borough Local Plan Core Strategy 2011, along with the Allocations Plan 2014. With regards to local planning policy, the following are relevant:

Policy CS11 of the Core Strategy sta

s that planning 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.

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

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site'.

Policy DM20 of the Allocations Plan 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 building has been vacant since 2018 however, the first and second floors remain occupied under residential use. The planning application provides evidence that the site is not viable to continue as a commercial use following a period of unsuccessful marketing. An application was made in 2023 for a change of use to a convenience store however, this was withdrawn due to concerns raised by the Highways Authority. The condition of the building is visibility deteriorating, particularly on the external façade facing into North Street and East Street and whilst is regrettable that it is not longer viable as its original use as a public house, a new residential use would bring the building back into use, therefore securing its future longevity.

The proposal is to convert the main core of the historic building into residential accommodation comprising 2no. units, with a further 2no. units being provided within an extension to the outbuilding following the demolition of the non-designated heritage asset and part of the modern link building both located at the rear of the site.

With regards to the internal conversion, the subdivision will comprise several new stud walls to facilitate the subdivision of the space to form 2no. units, a social space. Existing chimney stacks are to remain in situ. Overall, there is no objection to the proposed subdivision of the space however, the plans are lacking in detail on the following elements:

- Ceiling heights as part of conversion – is insulation / sound proofing being proposed? If so, what type?
- Any further insulation being proposed? If so, what type?
- Are the existing vents to be replaced? If so, with what?
- Are any new vents proposed? If so where and what type?
- Will all existing window and door architraves be visible internally? The plans show stud walls cutting off certain parts of the frames – can this be clarified please?
- In the 'Social' space, it is unclear if the section of new wall abutting the chimney breast is a wall, screen or railing – please clarify?
- Is there to be a method statement for internal and external repair including a schedule of works? i.e. particularly the windows which are all currently fixed shut?

With regards to the new extension, the loss of the existing extensions is not deemed to be harmful to the significance of the main heritage asset. The proposed design of the

new extension has a similar character to the main building with a pitched tiled roof. The existing porch entrance on North Street will also be extended forward. Overall, the main extension is not considered to result in harm to the main heritage asset subject to the use of high quality, appropriate materials. The existing extensions both feature slate tiles and it will be expected that this material is brought forward with the new extensions. The use of synthetic slate will not be supported given the attachment of the building to a designated heritage asset. Therefore, the proposal to use a 'Cembrit Westerland Slate' tile is not appropriate. Further details will be required for the following materials – these can be provided pre-determination, or via a planning condition:

- External materials samples and / or details
- Details of all new windows / doors / roof lights – please note uPVC frames will not be supported.

Conclusion

HOLDING OBJECTION – subject to the clarification on the above points / submission of further information as highlighted.

Following submission of Amended Details:

Further details have been submitted in respect of the above which are as follows:

Ceiling heights:

Plans have now been submitted which show that approximately half of the floor area of the main listed building, propose to lower the ceiling heights to allow for internal ventilation duct work and rockwool insulation (200mm) to be installed and then concealed. The ceiling heights around the windows and doors will be mostly retained, other than 300mm (approx.) to allow for insulation (not ductwork). Overall, whilst the lowering of the ceiling heights in part of the building is not ideal, the height of the original space can still be retained, particularly around the windows and doors. This would result in less than substantial harm at the lower end of the scale.

Air vents (internal and external façade):

Some external air vents are to be bricked up, details of this will be required which can be dealt with at condition stage.

Existing windows and architraves internally:

These are to be retained and plans have been submitted to reflect this retention.

Secondary glazing:

Secondary glazing will be required for noise reduction purposes. As the windows are a fairly unique design and shape, it is very likely that bespoke secondary glazing will be needed. Details of this need to be provided but can be requested at condition stage.

Method statement for repair (internal and external): (signage, repair work to brickwork, guttering, carriage lights, painting etc:

This will need to be provided to ensure that the new use of the building seeks to repair and retain important features. This can be conditioned.

External materials for new extension (roof tiles):

These can be requested via condition.

Conclusion

NO OBJECTION (conditions proposed on APP/23/00852)

FURTHER RESPONSE FOLLOWING FURTHER RESPONSE ON 18/6/24 AND ORIGINAL RESPONSE ON 21/2/24) FOLLOWING THE SUBMISSION OF AMENDED PLANS / ADDITIONAL DETAILS

Since the previous response (18/6/24), further details have been submitted including:

- Secondary glazing details
- Retention of window / door architraves in connection with the secondary glazing.

The secondary glazing details provided are deemed to be acceptable in that they would not result in harm to the heritage asset as the existing windows and internal architraves will be retained and the design of the glazing will not detract from the significance of the building. Further details are still outstanding including a method statement for the external repair of the ground floor, front facades and external materials required for the new building at the rear, however these can be secured and agreed at condition stage.

Final Summary following submission of all further details (subject to those to be secured by condition) .

Overall, the proposal to convert the ground floor of the main listed building, into residential accommodation, would result in less than substantial harm to the designated heritage asset, due to the subdivision of the internal space and the loss of some original ceiling heights. However, this harm is at the lower end of the scale as the architectural features which retain the most significance, will be retained.

As required by the NPPF, para 208, 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. The public benefits here include bringing a vacant and deteriorating listed building back into viable use therefore securing its longevity and future care. Whilst this is not a heritage consideration, the proposal would also provide specialist residential units in a sustainable location.

It has already been deemed in the response dated 21/2/2024 that overall, subject to the approval of suitable materials, the proposed extension would not result in harm to the main listed building or the St Faiths Conservation Area.

Part of the building to be demolished is a non-designated heritage asset. However, this building is of a basic construction and is in structurally poor repair. Its loss would result in less than substantial harm at the very low of the scale and would not result in harm to the St Faiths Conservation Area as its contribution in terms of contributing to the special character of the conservation area, is very low.

Conclusion .

1. Conversion of the main listed building to residential accommodation – less than substantial harm at the lower end of the scale.
2. Loss of the NDHA – less than substantial harm at the lower end of the scale.
3. New extensions to the rear of the building and porch onto North Street – no harm subject to agreed materials
4. Impact on the St Faiths Conservation (a designated heritage asset) – less than significant harm from loss of NDHA, no harm from new extension and no harm

from the conversion of listed building.

County Archaeologist

Thank you for your consultation. The site lies within the historic core of Havant and within an area of high archaeological importance. This area of Havant has been settled since at least the Roman period, with projected course of a Roman road either passing through, or close to, the site. Recent archaeological investigations at the neighbouring site revealed *in situ* archaeological remains dating to the Roman period. It is likely that important archaeological remains relating to the development of Havant are located beneath the property. These origins are likely to include Roman settlement (likely focused on the nearby crossroad of two Roman roads), and Saxon and medieval development of the town.

I would draw your attention to the Heritage Statement (AB Heritage 2023), that has been submitted in support of this application, which addresses archaeological matters. The document acknowledges the site's archaeological potential and assesses the following possible archaeological impacts of the proposal (para 6.2.6 and 6.3.4):

'The demolition and landscaping in general may expose or disturb buried archaeological features, and this would be most likely in the area to the rear where the smaller outbuilding is earmarked for demolition and for the proposed parking spaces. Other groundworks for the new North Street extension for instance, are likely to be in areas previously disturbed and affected by the late 19th century road works and rebuilding.'

'The demolition and landscaping could adversely affect the condition of buried Roman remains, similar to those uncovered in 2021'

The document concludes (para 7.1.2):

'The proposals for the 1 East Street includes a small degree of groundworks, but there is a medium potential to disturb significant remains. It is therefore recommended that all groundworks associated with this application are monitored and recorded by a qualified and experienced archaeologist.'

I support the assessment of archaeological matters in the heritage statement and endorse the document to the planning authority. Whilst there is the potential for some limited archaeological impact, I do not believe that this represents an overriding concern. I agree with the heritage statement that archaeological monitoring of groundworks would be an appropriate response. I would therefore recommend that a suitably worded condition be added to any planning permission granted. This condition should secure the implementation of a programme of archaeological monitoring (watching brief), in accordance with a submitted and approved written scheme of investigation.

Crime Prevention

The National Planning Policy Framework makes clear the Government's continuing commitment to "create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience".

National Planning Practice Guidance advises, that planning has a role in preventing crime and malicious threats. It reminds Local Authorities of their obligations under Section 17 of the Crime and Disorder Act 1998 (as amended), specifically, to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime, disorder and serious violence.

The guidance advises: "Planning provides an important opportunity to consider the

security of the built environment, those that live and work in it and the services it provides." It continues, "Good design that considers security as an intrinsic part of a masterplan or individual development can help achieve places that are safe as well as attractive, which function well and which do not need subsequent work to achieve or improve resilience." "Good design means a wide range of crimes from theft to terrorism are less likely to happen by making committing those crimes more difficult."

Tackling violence against women and girls is a Government and a Police priority, creating safer public and private realms forms part of the strategy to tackle this violence.

This site is located at a busy junction at the eastern end of the pedestrianised area of Havant Town Centre.

Clear definition of the different spaces within the development reduces the opportunities for crime and disorder.

The proposal creates two dwellings (plot numbers 3 and 4) directly accessible from the public highway. This significantly increases the opportunities for crime and disorder. In this situation it is not possible to create defensible space, to reduce the opportunities for crime and disorder the external doors and windows overlooking the public highway should conform to the relevant sections of Building Regulation, Approved Document Q (ADQ). Any external windows should incorporate a pane of laminated glass with a minimum standard of BSEN 356:2000 class P1A.

Access to plot numbers 1 and 2 is from the rear of the building from The Pallant. Lighting is known to reduce crime and disorder and reduce the fear of crime. To reduce the opportunities for crime and disorder and reduce the fear of crime lighting along the access route from The Pallant should conform to the relevant sections of British Standard 5489-1:2020.

These dwellings are created by a material change of use, I would remind the applicant that in this case the requirements of Building Regulation, Approved Document Q (ADQ) will need to be complied with.

Economic Development

None received

Environmental Health - on initial consultation

I have now reviewed the submitted and I can confirm that we do not have major concerns regarding the application with respect to noise and other environmental nuisance impacting on the supported housing. However, we consider that should planning permission be granted, the following condition should impose.

Pre-Occupation Noise condition

Prior to occupation of the development hereby permitted a report shall be submitted to the Local Planning Authority in writing to confirm that the measurements employed with regard to the building envelope, including fenestration and ventilation, for this supported residential unit, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. Similarly, for traditional external areas that are used for personal amenity space, such as gardens and patios the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in

noisier environments.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Construction/ Demolition Management

No development shall commence, including demolition and site clearance works, until a Construction Management Plan (CMP), to include details of: (a) provision of boundary hoarding; (b) hours of operation; (c) means to control dust and emissions to air; (d) means to control noise and vibration has been submitted to, and approved in writing by, the Local Planning Authority. The CMP should be in accordance with the GLA's Supplementary Planning Guidance 'Control of Dust and Emissions during Demolition and Construction'. The development shall be constructed in accordance with the approved statement.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Plus Hours of Work, Dust Control & Bonfire Informatives

Following submission of Amended and Additional Details, including CMP info:

I can advise that I am satisfied with the CMP information regarding the dismantling/demolition of the rear building.

I confirm that with the mitigation measures outlined in the noise report that acceptable internal noise limits will be reached with apertures closed. Occupiers will also have the ability to open windows for ventilation should they wish. In lieu of double glazing, secondary glazing will provide the protection that is required. The provision of air conditioning units will provide summertime cooling which would otherwise would not be achieved unless windows remained open during overheating conditions. If permission is granted, I recommend a condition requiring post validation noise testing be attached,

A noise validation report demonstrating that 'desirable' internal noise levels will be achieved (in accordance with criteria in BS 8233:2014) with apertures shut and the hereby approved MVHR Zehnder ComfoAir 350 running, shall be submitted to and approved by the LPA before any of the dwellings are occupied. This assessment shall be conducted in accordance with 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017) and the approved noise design scheme. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

Hampshire Highways

Due to the scale of the proposal, being 5 dwellings or less, and that there does not appear to be any alterations to the existing vehicular access on the public highway, HCC's standing advice should be referred to in the first instance

Historic England

we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant

National Amenity Societies - Historic Environment Advice

None received

Planning Policy

Principle of the proposed development

In the Adopted Local Plan, the site lies within the urban area as defined by policies CS17 and AL2. These policies seek to concentrate development within the defined urban area and therefore the development proposals would be acceptable in principle, subject to other material considerations.

The application proposes the change of use of the Golden Slots (Sui Generis) to 4 supported living flats which will include communal spaces, staff accommodation with bin and cycle storage. This would primarily be on the ground floor of the site and result in the loss of the ground floor active frontage.

The site falls within the primary shopping frontage in Havant Town Centre as defined by Policy CS4 in the Adopted Local Plan (ALP). As such, any development would be expected to retain an active ground floor frontage.

The National Design Guide defines an 'active frontage' as: 'The front of a building with openings onto the space that generate[s] activity and engagement between the building interior and the space outside, particularly entrances.'

Policy CS4 states 'Residential development on upper floors can make an efficient use of town centre land while adding to the mix of dwelling types and tenures available in the borough. Policy CS4 seeks to encourage high quality mixed-use development in designated centres with offices or new homes located on upper floors above town centre uses with active ground floor frontages. The loss of ground floor town centre uses to residential development will be resisted.'

The loss of a ground floor active frontage in this location would therefore result in a policy objection in the context of Policy CS4. It is noted however that there are other material considerations and this policy conflict must be weighed carefully in the overall planning balance.

5 Year Supply

The Council's Five Year Housing Land Supply Update (March 2023) indicates that the Council has 1.81 years supply with a 20% buffer applied. This is below the five year supply threshold.

The lack of a five year supply triggers a presumption in favour of sustainable development, in line with paragraph 11 of the NPPF. The scheme's potential contribution to the 5 year supply must be afforded weight in the overall planning balance, albeit it is noted that this would make a modest contribution only.

Elderly and Specialist Housing Provision

Policy DM7 is of relevance to the specialised supported housing provision, and requires the following criteria to be met:

1. It is demonstrated that appropriate levels of on-site amenity space are accessible for residents' use which provides a satisfactory outlook for all residents.
2. A setting for the building is provided which is in keeping with the surrounding area.
3. Sufficient space for servicing is provided.
4. Services that may generate noise and disturbance (such as laundry rooms, kitchens

and refuse storage) are located and designed to avoid undue disturbance to the amenities of neighbouring properties.

5. The development would not result in a concentration of such uses in one of the five areas of the borough or an over-concentration within each of these areas.

In particular, it is questionable whether criteria 1, 2 and 3 could be met given the constrained nature of the site. It will also be of relevance to consider whether any services would be likely to give rise to disturbance to neighbouring residents and this is addressed in detail below.

Other Material Considerations

- The site comprises a former public house which is Grade II listed and lies within the St Faith's Conservation Area, with various listed buildings nearby. Therefore policies CS11 and DM20 apply, in addition to Policy CS16 which requires high quality design in all development. The Council's Heritage Officer has noted that there has been some visible deterioration in the building's condition and that a new residential use would secure its future longevity. However, further details are sought to understand the whether the proposals are likely to be harmful to the significance of the main heritage asset.
- Policy DM13 and the Havant Borough Parking SPD (September 2019) set out the parking standards for new residential development in the borough. Given the specialised nature of the housing provision, consideration should also be given to the parking requirements of staff and visitors.
- It is noted that any conversion to residential would have the potential to have an adverse impact on any neighbouring properties as well as prospective residents living in the units themselves. Policy DM10 would require any such impact to be acceptable on the future occupiers and neighbours. The Council's Environmental Health Team should be consulted on any detailed plans and layout. It is noted that comments have been received.
- Limited information is provided and it is not clear what amenity space is being provided by the proposal. The Borough Design Guide expects new dwellings to achieve a minimum 10m garden depth and for the space to be private.

Conclusion

The loss of an active frontage within the primary shopping area would mean that a policy objection would arise in the context of Policy CS4. However, it is also noted that the residential use would secure the future longevity of a heritage asset in a prominent town centre location.

In addition, a modest contribution would be made towards the Council's 5 year housing supply in a sustainable location.

There are other considerations that need to be addressed by the applicant, notably that of the details sought by the Heritage Officer. This will be key in demonstrating that the development proposals would secure the appropriate use of the heritage asset in the long term, which would offer substantial benefits. In turn these will need to be weighed carefully in the planning balance with the harm arising from the loss of the active ground floor use.

Nutrient Team

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

It should be noted that there is limited capacity remaining in the Council's mitigation scheme at Warblington Farm. There is alternative mitigation available from third party

providers in order to avoid and mitigate the water quality impact arising out of the proposed development. The details of other schemes have been published on the Partnership for South Hampshire's website at:
<https://www.push.gov.uk/work/mitigation-schemes-available-to-developers/>.

Natural England

DESIGNATED HABITATS SITES – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation. With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment, dated 28th March 2024, concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development.

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: 114

Number of site notices: 1

Statutory advertisement: 12/01/2024

Number of representations received: **4 representations in total - 2 objections; 1 neutral and 1 support:**

Comment	Officer Comment
Objections:	
not right location for assisted living accommodation; centre of Havant being spoilt by cheap & poor development both by and for people who have no interest in their environment or the locality; supervision required would require lots of comings & goings of persons giving care & support; large number of flats in adjacent East Street development classed as assisted living properties and seems a heavy load for a small	HCC refer to standing advice - the scale of development would not have an adverse impact on the highway network;

location; parking in area is an issue; carers will travel by car and need to park locally and for free which is not always convenient for others; building on a main road with no parking to the front or sides & rear heavily developed by same builder; too many properties in east Street that have been allowed to become seriously dilapidated, and this is one of them; need a good job on this building; isn't it Listed? and in the Church conservation area?	1 space at rear for staff proposal would result in refurbishment of a LB in the CA
5 East St development already contains 50% assisted living accommodation and 4 further units will swamp this small area of the town with this type of development; appreciate the need but this is not the right location for so many; Parking - the communal spaces will never be sufficient for the need of the site, upper floor flats already have no parking; sewerage, wastewater & rainwater systems in this area of town are struggling with the intensification of living accommodation, will further increase load on already strained infrastructure; access at rear will also service development at 5 East Street and is single lane which will result in a bottleneck with probable issues for emergency service access to the rear; concerns for the continued high intensification of residential buildings to the rear of East Street and The Pallant; LB should be sensitively refurbished and request the Council monitor any build to ensure the build conforms; development at 5 East Street has had Party Wall implications currently with mediation and as same developer needs monitoring; this building a prominent part of the town architecture on the main crossroads and planned development does not fit in; building been subject of failed businesses & developments and needs	See section 7 proposal does not affect upper floor flats Building Regs issue, not planning access already approved with adequate turning for emergency & refuse vehicles as part of the development for 23 units at 5-11 East Street & 10a The Pallant Onus is on developer to implement in accordance with approved plans and comply with all conditions - the LPA does not have the resources to monitor all developments; but any complaints or non-compliance can be investigated by the Enforcement team see section 7

proper consideration & guidance from planners; Documents refer to the Havant Club as a PH - this is incorrect, it is a private members club owned by its members.	Noted - but both same use Class in planning terms - Sui Generis
Neutral comment:	
<u>on behalf of Havant Climate Alliance and Havant Friends of the Earth:</u> - support the renovation of the grade 2 Listed building & development of this brownfield site; But flats look too small for wheelchair users; lack of outdoor space for relaxing may be an issue; perhaps non-supported living flats at an affordable rent should be considered instead? provision of bike storage and central town location good for access but residents may need specialist transport so room is needed for a minibus or similar; Grade 2 LB should be converted sensitively to heritage with high standard both internally and externally; insulation to highest BREEAM rating should be used; to minimise carbon emissions heating should be via air source heat pumps; secondary glazing needed for flats 3 & 4 for insulation and to reduce traffic noise; solar panels or solar thermal should be included on the new roof; bird and bat boxes, and/or swift bricks should be included.	Noted Meet Nationally Described Space Standards and will have to comply with relevant parts of Building Regs for accessibility Parking space at rear car sized only but shared rear access does provide adequate space for emergency & refuse vehicles & could therefore accommodate a minibus BREEAM not relevant to residential uses; method of heating unknown/secondary glazing to be provided & conditioned/ solar panels not shown at this stage Noted
Support - from Councillor Munday	
I am in favour of this development as a productive use of a currently disused space in the town centre. I hope that linked to this development the frontage of the building is repaired to a suitable standard to maintain the appearance of the building	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, Use and Housing position
- (ii) Impact upon Listed Building and Conservation Area

- (iii) Impact upon residential amenity, including noise and heating
- (iv) Access and parking
- (v) Compliance with Habitats Regulations
- (vi) CIL

(i) Principle of development, Use and Housing position

- 7.2 The application site is located within the urban area, as defined by Policy AL2 of the Havant Borough Local Plan (Allocations) and Policy CS17 of the Core Strategy. Therefore development is considered acceptable in principle, subject to development management criteria. Since the site lies within a Conservation Area and affects a Listed Building, Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the determination of this application requiring special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest, as well as the desirability of preserving or enhancing the character or appearance of a conservation area.
- 7.3 In terms of the use of the site, this is currently a vacant Sui Generis amusement arcade and bingo hall on the ground floor, with residential flats above. Being within the town centre and partly within the primary frontage, then policies CS4 and AL3 are relevant which seek to retain appropriate town centre uses and active ground floor frontages. The site has been vacant since 2018 and a marketing report has been submitted showing that between February 2021 and May 2022 enquires made were for a range of uses including a pub, restaurant and other leisure uses. However the poor condition of the building and associated construction, professional and other costs relative to the end value or likely income once completed, deterred any serious offers for alternative commercial or community uses.
- 7.4 The supporting Planning, Design & Access Statement by Achieve Ltd also notes the sites inclusion in Policy HB3 and mixed use allocation H22 for East Street for 40 dwellings/community or main town centre uses. The same PDAS also notes compliance with policy AL3 in that at least 50% of the run of units within this section of the defined primary shopping frontage would remain in shop uses (now Class E instead of the policy requirement of Class A1). It further notes that in the subsequently withdrawn emerging local plan policy KP1 recommended East Street be withdrawn from the defined main town centre as it no longer performed a town centre function and it would be appropriate for the regeneration of East Street to be led by residential development.
- 7.5 Since many of these policies are out of date (in part due to the update in Use Classes Order) then guidance in the NPPF, 2023, should be referred to, and this states, at paragraph 90 f) that "*...residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites*". It is also noted that a recent previous application for a convenience store (Class E) was found to be unacceptable due to highways issues and a lack of servicing - being on a busy junction with double yellows and a zebra crossing the servicing was considered to result in highway safety issues, and as such that application was withdrawn. Furthermore some weight must be given to the fact that the proposed residential use would enable the repair and maintenance of a vacant and rapidly deteriorating Listed Building and help to save it.
- 7.6 The Council's Five-Year Housing Land Supply, Updated at March 2023, indicates the Borough's housing land supply position as 1.81 years with a 20% buffer applied. This shortfall engages Paragraph 11d) of the NPPF with its presumption in favour of

granting permission unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits. It is accepted that the proposal for 4 additional residential units, within the main urban area of Havant, would make a modest contribution to housing supply and this benefit of the proposal must be afforded weight in the overall planning balance.

- 7.7 Overall, given the unsuccessful marketing for an alternative commercial use, which would likely have the same servicing difficulties, the national policy position, the opportunity to renovate the LB, and modest benefit to housing supply, then it is considered that the principle of a residential use in this location, on what is clearly the edge of town, is considered an appropriate and acceptable use.
- 7.8 Third party comments have noted the number of assisted living units in the vicinity and consider the area inappropriately swamped by such. However the type of future occupant is not a material consideration and demand for uses is determined by the market, not the planning system. It is further noted that the supporting text to policy DM7 on Elderly and Specialist Housing Provision states at paragraph 10.26 that *"It is recognised that the occupiers of some specialist housing often require access to local services including shops and health facilities and public transport routes. Development for sheltered housing, facilities for the active elderly and for the disabled will be encouraged towards locations where these services can be accessed by non-motorised modes of transport so that a degree of independence can be maintained."* As a town centre site, close to both the bus station and train station as well as services, it is considered an appropriately accessible site for assisted living accommodation.

(ii) Impact upon Listed Building and Conservation Area

- 7.9 The Council's Conservation Officer has been involved in negotiations with respect to this application (& APP/23/00852) to ensure that any potential harm to the significance of the heritage asset is fully assessed, and the character of the conservation area is preserved or enhanced, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The building has architectural significance and contributes to the character of the conservation area due to its prominent siting. It is noted that the ground floor of the building has been vacant since 2018 and the condition of the heritage asset is visibility deteriorating, particularly on the external façade facing into North Street and East Street. A new residential use would bring the building back into use, securing its future longevity as a designated heritage asset for public benefit.
- 7.10 In terms of the proposed demolition at the rear, the original brick outbuilding would be lost and this structure is considered to be a non-designated historic heritage asset. Historic England's listing details note that *"the later extension that adjoins the original building at its north-east corner is not of special architectural or historic interest"*. The outbuilding is of basic construction and not in a good state of repair, and its loss would enable the redevelopment and repair of the core Listed Building. As a non-designated heritage asset its loss is not considered harmful to the significance of the main architectural and historic features of the Listed Building, which are focused on the front facades. Nor does it make a significant contribution to the Conservation Area and therefore its loss would result in less than substantial harm. Paragraph 209 of the NPPF requires that a balanced judgement be made in respect of non-designated heritage assets and in this instance it is considered the benefits of the demolition of this outbuilding in enabling the remainder of the development to progress which would secure the future of a designated heritage asset, should outweigh the less than

substantial harm.

- 7.11 The proposed increase in height of the roof of the rear link building, and provision of a new gable end facing the rear service yard of the adjacent residential development, is considered appropriate in scale and design and materials have been amended to include re-use of original slates. Overall, this element of the development is considered sympathetic to the Listed Building and Conservation Area.
- 7.12 During the course of determining this application amended plans and additional details have been received in respect of some of the detailed matters associated with the conversion, to ensure the historic and architectural significance of the building would be preserved. These include siting of precise internal partitioning, lowering parts of the internal ceiling heights, secondary glazing, mechanical ventilation, materials etc.
- 7.13 Whilst the use of lower false ceiling heights in particular is not ideal, the amended plans do retain the original height around the doors and windows, and it is noted that the insertion of the partitions, ductwork and insulation etc is all reversible and could be removed in the future. Overall, it is considered that the harm to the Listed Building would be less than substantial but in accordance with paragraph 208 of the NPPF there are public benefits of bringing a vacant and deteriorating listed building back into viable use that would outweigh that harm. Nevertheless this 'less than substantial harm' to a designated heritage asset still needs clear and convincing justification (paragraph 206 of the NPPF), which is provided in the fact that it would enable to the remainder of the development to occur, repairing and maintaining this designated heritage asset.
- 7.14 In terms of preserving or enhancing the character of the Conservation Area, the visual appearance of this building on this highly prominent corner of Havant town centre opposite St Faith's Church, is highly valuable to the setting and appearance of the Conservation Area. The proposal would result in the maintenance and repair of the external facade of the building which would enhance the character of the Conservation Area.
- 7.15 Overall, it is considered that the demolition and development at the rear, and conversion of the ground floor to 4 supported living apartments, would result in less than substantial harm but would secure the future and significance of this important Listed Building and enable its repair and maintenance, which in turn would both preserve the Listed Building and enhance the character of the Conservation Area. The proposal is therefore considered to be acceptable, meeting the requirements of the NPPF, Policies CS11, and CS16 of the HBLP (Core strategy) and policy DM20 of the HBLP (Allocations).

(iii) Impact upon residential amenity, including noise and heating

- 7.16 The proposal is unlikely to result in any harm to neighbouring amenity - the flats above would be unaffected. To the rear the demolition of the outbuilding would open up the outlook from the new 5/7 East Street development and in particular the new ground floor flat facing the outbuilding. The actual demolition/dismantling process of the building would be done by hand with no masonry cutters and Environmental Health have confirmed they have no objection to the submitted Construction/Demolition Management Plan.
- 7.17 However, in terms of providing an adequate standard of living for future occupiers,

detailed negotiations have taken place regarding internal levels of noise, ventilation and heating, particularly to units 3 & 4 within the main Listed Building. Critical discussions have revolved around whether any of the windows on the North Street and East Street facade are openable to allow ventilation. Whilst the decorative curved windows are currently painted closed and do not open, evidence has been provided to demonstrate that historically the small upper central square pane in these windows did previously open. Therefore there is no objection in principle to the repair of these windows allowing for this small square pane to open in each of the 4 large curved windows.

- 7.18 But if the windows open then noise transmission increases. A noise report by Airtight & Noisecheck Ltd has been submitted on the basis that the windows are openable. This concludes that secondary glazing will be necessary to units 3 & 4 to mitigate noise to an acceptable level, and that mechanical ventilation will be needed to ensure suitable levels of ventilation inside when windows are closed. Both the noise report and Environmental Health recommend that windows in the ground floor bedrooms of units 3 & 4 remain openable in order to avoid an oppressive environment.
- 7.19 The agent has explored specialist Listed Building secondary glazing to demonstrate that it would be possible to provide secondary glazing that can be fitted within the internal reveal of the windows and still allow the square panes to be openable. Detailed plans have been provided of the proposed secondary glazing which would result in a 100mm airspace which is less than the BS standard recommended minimum for noise attenuation. As such the noise report has been updated to ensure that in this instance use of 100mm airspace would still achieve acceptable internal noise levels. Provided the secondary glazing is provided in accordance with the details submitted then internal noise levels should be appropriate for future occupiers.
- 7.20 The agent also notes that since these units are for assisted living then they will be managed environments with any opening of windows not necessarily in the full control of the occupants and hence the provision of a mechanical ventilation with summer bypass system would be the main source of control of ventilation and temperature. The details, siting and ducting of the mechanical ventilation system has been provided, the Zehnder ComfoAir 350, which uses internal units to avoid harm to the integrity or appearance of the Listed Building. The noise associated with the siting of the main units in stores adjacent living accommodation has been considered by Environmental Health who recommend that a noise validation report is provided to ensure that predicted internal noise levels are achieved with apertures open and the MVHR running. Despite provision of mechanical ventilation it is still considered necessary for the small square windows to be openable to allow a flush of fresh air from time to time.
- 7.21 Generally units 1 & 2 would be more protected from noise at the rear of the building and not being part of the core Listed Building would have new windows and rooflights achieving modern standards of noise attenuation and ventilation. A daylight analysis drawing has been submitted indicating that daylight to unit 2 is limited but Environmental Health have not objected. Environmental Health have however flagged potential issues with means of escape and compliance with Building Regulations which have been passed to the agent, and use of sprinklers suggested in response. As a Building Regulations matter this can be dealt with at implementation stage, unless the sprinkler system requires Listed Building consent which would have to be first sought.
- 7.22 The layout plans only provide very small areas of outside amenity - a small courtyard

is created between units 1 & 2, accessible internally by the occupants of all 4 units. In addition there is a small outside area at the rear of the site off the servicing area, sufficient for bikes, bins etc for units 2 & 3, although it would not provide a pleasant sitting out area. However there would be some communal space internally for all future occupiers to socialise. Given the sites proximity to Havant Park for outside space and recreation, then the limited amenity space on site is not considered unacceptable in this instance.

- 7.23 Overall, after protracted negotiations, it is considered that it has been adequately demonstrated that in principle the Listed Building can be converted to residential use successfully, and provide adequate standards of living for future residents, without causing harm to the historic significance of the Listed Building. The proposal is therefore considered compliant with adopted policies CS16, DM10 and DM18.

(iv) Access and parking

- 7.24 Vehicular access would be taken from The Pallant at the rear and 2 on site car parking spaces would be provided within the red lined application site, but only one of them would serve the development - the other is for residents of 5/7 East Street. As a proposal for assisted living accommodation it is unlikely that future residents themselves would drive, and the 1 space would be available for staff and servicing. Since the site is located within the town centre, very close to both the bus and train station, providing alternative methods of transport to the site, then it is considered that the 1 space would be sufficient to serve the development proposed.

- 7.25 It is also noted that the layout does provide additional bikes racks, sufficient for 2 bikes at the rear and 2 within the front side pedestrian access area, equivalent of one per unit. Following the comments from Crime Prevention about the frontage bike store being vulnerable, these have been set back and a screen provided to help obscure them from view to prevent easy theft. The provision of on site cycle storage helps to further encourage alternative modes of transport to the site for either future residents, visitors or staff. Overall there is no objection on highway amenity or safety grounds to the proposal.

(v) Compliance with Habitats Regulations

- 7.26 The proposal would result in the net gain of four, 1 bedroom assisted living residential units, which need to comply with the Habitats Regulations. The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The Council's assessment as competent Authority under those regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several Solent European Sites due to both the increase in recreation and the decrease in water quality that would result from the proposed development resulting in the gain of what is essentially 4 additional 1 bedroom dwellings.
- 7.27 Using Natural England's updated Methodology in January 2024, the planning application was then subject to Appropriate Assessment under Regulation 63. This included two packages of avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement on Nutrient Neutral Development.

- 7.28 With respect to the Solent Recreation Mitigation Strategy the applicant has entered into a Unilateral Undertaking and paid the appropriate sum of £1,976.00 to address the potential recreational harm from the new development. Therefore it is considered that the recreational element of the impacts of development have been adequately mitigated against. With respect to the water quality issue and the Council's updated Position Statement, April 2023, the applicant has been able to also enter into the mitigation scheme at Warblington Farm to offset the nitrogen from the development. A Unilateral Undertaking has been received, together with the appropriate contribution of £7,898.12 as nutrient mitigation. This is based on the development achieving a water efficiency of 110 l/p/p/d and to ensure these measures are provided as part of the development, and for ongoing compliance, it is necessary to add 2 conditions.
- 7.29 The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment and raise no further objection. The Council's assessment as competent Authority under those regulations is included in the case file.

(vi) CIL

- 7.30 The development for assisted living accommodation is considered to be Extra Care Housing which, as set out in the Borough's Developer Contribution Guide at paragraph's 2.06 and 2.07 is not charged the residential rate for CIL purposes.

8 Conclusion

- 8.1 Due to the Borough's current housing supply position, paragraph 11d) of the NPPF is engaged which gives a presumption in favour of granting permission unless there are any significant adverse impacts that would outweigh the benefits. As a Heritage asset clause d) i) is relevant. It is considered that there are no policies that seek to protect the heritage asset that provide a clear reason for refusing the development. It is considered that there would be less than substantial harm to the architectural significance of the Listed Building from the conversion of the building and from the demolition of the non-designated heritage asset rear store which is outweighed by the public benefits of bringing this vacant and deteriorating building back into optimum viable use.
- 8.2 Furthermore, the provision of 4 assisted living units would contribute to the Borough's housing need and represents a modest benefit. There would also be significant benefits in the preservation of the Listed Building; an economic benefit from the construction process and future employment of care staff; as well as a social benefit from the provision of supported living opportunities for people in need in a sustainable location. It is considered that the potential identified adverse impacts to future living conditions have largely been overcome through negotiations and submission of detailed matters, and remaining matters can be adequately conditioned. Overall it is considered that there are no adverse impacts that would significantly and demonstrably outweigh the benefits and therefore the tilted balance benefit of this development prevails.
- 8.3 The proposal meets the Habitats Regulations with recreational and water quality impacts adequately mitigated against. Overall the proposal is therefore considered acceptable and recommended for conditional permission.
-

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00851 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:

Heritage Statement by PGP dated August 2023

Heritage Statement by AB Heritage Archaeological Consultancy dated 20/10/2023

Planning, Design and Access Statement by Achieve Ltd - ref SRL.03.23
User Group Information

Marketing Report by Holloway Iliffe & Mitchell dated 14th August 2023

Nutrient Assessment & Budget by Aqua Callidus dated 31/8/2023 - in part superseded by Solent Nutrient Budget Calculator on Council's website dated 28 March 2024

Noise Impact Assessment by Airtight & Noisecheck Ltd, dated 25th June 2024

Mechanical Ventilation Specification: - Zehnder ComfoClima details
- Zehnder ComfoAir350 Product Data

Sheet

- Zehnder ComfoClima 24 & 36 Installer

Manual

Construction/Demolition Management Plan dated 29/7/2024

Location Plan - Drawing Number 23/201/L01

Site Plan - Drawing Number 23/201/PO7 REV D

Proposed Block Plan - Drawing Number 23/201/B02

Roof Plan - Drawing Number 23/201/PO3 REV D

General Arrangement Floor Plans - Drawing Number 23_201_P01H

Sections - Drawing Number 23_201_P10 REV B

Landscaping & Hard Surfacing Plan - Drawing Number 23_201_LS01 REV H

Existing and Proposed Elevations - Drawing Number 23_201_P02E

Section Showing Existing Ceiling - Drawing Number 23_201_PW10 REV C

Section showing new insulated ceiling - Drawing Number 23_201_PW11

Section showing ductwork/vents - Drawing Number 23/201/PW12 REV C

Existing Door - Openable Secondary Glazing Details - Drawing Number - 23/201/PW14 REV A

Existing Door - Fixed Secondary Glazing Details - Drawing Number - 23/201/PW15

Window Secondary Glazing Details - Drawing Number - 23/201/PW13 REV A

Ceilings and Ventilation Plan - Drawing Number 23/201/P REV D

Daylight Analysis Unit 2 - Drawing Number 23/201 UNIT 2

Reason: To ensure provision of a satisfactory development.

- 3 The development hereby approved shall be used for supported living units only (Class C3(b)) and for no other purpose in the Schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order.

Reason: In the interests of the amenities of occupiers of neighbouring dwellings and to control the form of development Supported Living, Class C3(b) use, in accordance with policies CS9 and CS16 of the Havant Borough Council Local Plan (Core Strategy) 2011.

- 4 Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full details of all new external materials to be used on the new extensions hereby permitted, including the finish colour of the render panels and cedar cladding, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: In the interests of protecting the architectural significance of the designated heritage asset and character of the St Faiths Conservation Area to secure a satisfactory and sympathetic form of development and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.

- 5 No above ground construction works shall take place until details of any new windows, (including roof lights), and external doors have been submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- a) a 1:20 plan, section and elevation shown in relation to the opening into which it is to be set,
- b) full size glazing bar section,
- c) the method of opening and external finishes.

All works shall be carried out in full accordance with such approval and be retained thereafter.

Reason: In the interests of protecting the architectural significance of the designated heritage asset and character of the St Faiths Conservation Area to secure a satisfactory and sympathetic form of development and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.

- 6 Bike racks for the storage of 4 bikes (2 at the front and 2 at the back), as shown on the hereby approved Landscaping & Hard Surfacing Plan - Drawing Number 23_201_LS01 Rev H, together with screening for the front 2 bikes, shall be installed and made available prior to the first occupation of any hereby approved unit, and shall be retained thereafter for their intended purpose.

Reason: To comply with the Parking SPD and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 No development shall take place (other than above ground demolition) until the applicant or developer has secured the implementation of a programme of archaeological monitoring (watching brief) in accordance with a Written Scheme of Investigation that has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is of archaeological significance and it is important that the opportunity should be afforded to excavate the site before development commences and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Prior to first occupation of either units 3 or 4, a noise validation report demonstrating that 'desirable' internal noise levels will be achieved (in accordance with criteria in BS 8233:2014) with apertures shut and the hereby approved MVHR Zehnder ComfoAir 350 running, shall be submitted to and approved by the LPA. This assessment shall be conducted in accordance with 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017) and the approved noise design scheme. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: In the interests of the amenities of future occupiers, in accordance with policy DM18 of the Havant Borough Council Local Plan (Allocations) 2014, and policies DM10 and CS16 of the Havant Borough Council Local Plan (Core Strategy) 2011.

- 9 The hereby approved demolition and dismantling shall be carried out in full accordance with the Construction/Demolition Management Plan dated 29/7/2024 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the residential amenity of nearby properties is not impacted upon by any external noise levels, having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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1. The development hereby permitted shall not be occupied until:
 - (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and

- (b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 11 At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.