

**PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990
TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING, DESIGN AND ACCESS STATEMENT ON BEHALF OF
JNP DEVELOPMENTS**

FOR

**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**

AT

1 EAST STREET HAVANT HAMPSHIRE PO9 1AA

ACHIEVE ref – SRL.030.23



1.0 Context and site description

- 1.1 This is an attractive Grade II Listed Building located at the corner of East Street and North Street, within the St.Faiths Conservation Area. The application proposals relate to the ground floor of the building. Historic England's Listing description/justification is set out in the submitted Heritage Statement by AB Heritage. Within the Council's Conservation Appraisal, the site is located within the historic and commercial core with paragraph 7.3.1 stating –

“There are four groups of particular distinction within the character area – the key corner buildings to the cross roads which help define the wider setting of the church and are particularly exuberant in their architectural embellishment”

With 7.4.1 going on to say –

“It is the diversity and eclecticism of the buildings of Havant that is the most striking feature of the conservation area. Within a relatively small area, there is a wealth of architectural styles and motifs. This mix enlivens the streetscene and makes for very attractive townscape of regional significance.”

And 7.7.17 stating –

“Two public houses stand out for their use of decorative tiles. The White Hart incorporates very elaborately carved terracotta panels into the façade design to excellent effect”

- 1.2 Immediately abutting to the east are The Havant Club premises. The application site returns around the back of The Havant Club and also to part of the rear of retail premises at 2-4 North Street. Those neighbouring properties are not Listed, but other Listed buildings within the setting of the application site include St Faiths Church (Grade II*), the Havant War Memorial (Grade II) and 2, 4-6 and 8-10 East Street (all Grade II). The application site enjoys a vehicular right of way northwards towards The Pallant. At the current time 5-11 East Street is being redeveloped with housing and also enjoys this vehicular access to The Pallant.
- 1.3 The application site is located within a defined primary retail frontage under Policies CS4 and AL3 of the Borough Development Plan. East Street, whilst currently within the defined town centre boundary, does not feature within any defined primary or secondary retail frontage. Since the development of the Meridian Centre and other retail developments off Park Way and Selbourne/Solent Roads, the main retail focus of Havant has shifted, somewhat marginalising North Street's trading position, although Waitrose supermarket has a strong draw in terms of footfall. The site also forms part of the H22 housing site identified in the Site Allocations DPD (2014), being part of allocation policy HB3, allocated for mixed use development.
- 1.4 **Appendix A** to this statement shows that within the 'run' of 7 premises forming this part of the defined primary shopping frontage, 4 are shops (Class E [formerly A1]), two are cafes (Class E [formerly A3]) and one (the application site) is an amusement centre (sui generis) and bingo hall. Irrespective of how this application is determined, more than 50% of this 'run' of premises would remain in shop use, required under Development Plan Policy AL3.

- 1.5 A gap exists between the north side of the application site and 2 North Street. This provides a separate pedestrian point of access to the building, where the single storey rear element of the application site can be glimpsed from North Street. Inside the ground floor, the layout is open plan, save for columns supporting the upper part of the building, which is in use as a number of flats. Towards the rear, the internal floor level steps up to a further large space. Having been vacant since at least December 2018, when Holloway Iliffe & Mitchell (HIM) were first instructed to market the ground floor of property, the interior is in a poor state of repair. The submitted HIM marketing report 140823, dated 14/8/2023, describes the accommodation (figures given in square feet, then square metres below) as follows –

Ground - Bar/Sales Area	963	89.5	To Let / For Sale
Ground - Kitchenette	72	6.7	To Let / For Sale
Ground - Function Room	1,074	99.8	To Let / For Sale
Ground - Rear Store	277	25.7	To Let / For Sale
Total	2,386	221.7	

- 1.6 Some photographs of the site and its interior are shown in **Appendix B** to this statement.
- 1.7 The application site is within easy, level walking distance of the town bus station and Havant railway station.

2.0 **Relevant planning history**

- 2.1 The building was originally constructed as a public house in 1889.



- 2.2 In 1996 applications were made for “*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*”. Permission reference 96/52764/003 was granted on 27/6/1996, with a variation given under reference 96/52764/004 on 18/10/1996 in terms of roof construction and materials used. Previously, three joined outbuildings had existed at the rear of the pub (see green circles labelled A, B and C above) and the permission – which has been partly implemented – combined these, partly under a new slate clad hipped roof, whilst retaining the plain, red clay tiled roof over the former store.
- 2.3 Under Council reference APP/13/01066, planning permission was granted to convert the pub into an amusement centre (sui generis) and bingo hall. That permission was granted 20/12/2013 and implemented.
- 2.4 The property became Listed in 2014.
- 2.5 Planning permission was granted 22/2/2018 to convert the upper floors to 5 flats under the Council’s reference APP/17/01088, later varied under reference APP/19/00613 to ensure the work was compliant with Building Regulations. Those permissions have been implemented.
- 2.6 The amusement centre and bingo hall ceased trading in 2018 and has remained vacant ever since.
- 2.7 Parallel applications APP/23/00350 & APP/23/00388 were made more recently for planning permission and Listed Building Consent for “*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*”. Both applications were withdrawn on 12/7/2023. More will be said about this later in this statement.

3.0 Relevant Planning Policy

- 3.1 Aside from the National Planning Policy Framework (NPPF – September 2023, and National Planning Practice Guidance – (NPPG 2014 onwards), the following adopted policy and guidance are relevant from the Development Plan for Havant Borough:-

Development Plan

Havant Borough Council’s Adopted Core Strategy (2011)

- CS2** – Employment
- CS4** – Town, district and local centres
- CS6** – Regeneration of the Borough
- CS8** – Community safety
- CS9** – Housing
- CS11** – Protecting and enhancing the special environment and heritage of Havant Borough
- CS14** – Efficient use of resources
- CS16** – High quality design
- CS17** – Concentration and distribution of development within the urban areas
- CS20** - Transport and access strategy
- CS21** – Developer requirements
- DM7** – Elderly and specialist housing provision

- DM11** – Planning for more sustainable travel
- DM12** – Mitigating the impacts of travel
- DM13** – Car and cycle parking on residential development

Havant Borough Council's Adopted Local Plan (Allocations DPD) (2014)

- AL1** – Presumption in favour of sustainable development
- AL2** – Urban area boundaries
- AL3** – Town, district and local centres
- HB33/site H22** – East Street: allocated for mixed use development
- DM18** – Protecting new development from pollution
- DM20** – Historic assets
- DM24** – Recreational disturbance to Special Protection Areas (SPAs) from residential development

Guidance (SPD)

- Borough Design Guide (2011)
- Parking (2016)
- St Faiths Conservation Area Appraisal & Management Plan (2007)

4.0 PROPOSED DEVELOPMENT

4.1 Use and amount

- 4.1.1 The applicant wishes to raise the roof over the rear space (former bingo hall) by 450mm, whilst forming a recess/indent in its west facing wall to facilitate the conversion of the floorspace to 4 No. x 1 bed supported living flats within Class C3 (b). Two of the flats would enjoy accommodation within the enlarged roofspace. The recess/indent is being formed to all access to natural light and ventilation for those two flats. As stated, the practicality of installing secondary glazing will be investigated to ensure that the occupants of flats 3 and 4 will not suffer adverse impacts from traffic noise passing the site, so as to meet the objectives of Policy DM18. However, the Listed status of the building may prevent such an intervention and it is noted that no requirement for acoustic glazing was imposed on permission APP/17/01088, nor the permission that varied it APP/19/00613.
- 4.1.2 A staff sleepover space would be formed in a small single storey extension with its own sanitary accommodation. A separate staff W.C. and handwash basin would be created off an internal common corridor. That corridor is to allow a secondary means of escape, linking the main entrance, via a common social space through to the rear of the site, where some partial demolition is proposed to create two open surface car parking spaces, accessed from The Pallant. Existing doorways to East Street would continue to be used to provide entry points to two of the flats.
- 4.1.3 The internal floor areas of the flats would range from 45 to 47 square metres, exceeding the floorspace standards under NPPG ID56.
- 4.1.4 The existing window frameworks to East Street and North Street are in a poor state of repair. It is proposed to manufacture new timber window frameworks on a like for like basis. Secondary glazing to window openings would be investigated to reduce traffic noise to occupants of the new flats. Existing hinged openings - (see photographs 24 to 31 in **Appendix B** to this statement) – would

be retained and the applicant is also seeking Listed Building Consent to create inward opening side lights to the 4 main street windows, to provide ventilation to the flats. Justification for those works is set out in paragraph 6.2.4 of the Heritage Statement by AB Heritage.



4.2 Layout

4.2.1 As indicated on the Peter Galloway Partnership drawing number 23/201/P01 Rev C (as seen above).

4.2.2 Secure bicycle parking and refuse storage is being provided for both the new flats and existing 5 flats on the upper floors.

4.3 Scale

4.3.1 Single storey, but with accommodation being formed in the enlarged roofspace, lit by rooflight windows and one gable end window.

4.4 Appearance

4.4.1 Michelmersh, Hampshire Stock, red face brickwork to match the existing and Cembrit Westerland slates for the enlarged rear roof and small extension to the west elevation. Reconstituted stone coping will be used to top the new gable end being formed at the rear of the site. As described above the window frameworks to the street elevations are to be replaced in timber, to the same proportions and profiles of their timber frameworks and glazing bars. The windows will then be painted the same ochre/cream colour to match the windows in the upper part of the building.

4.4.2 Existing signage relating to the previous 'Golden Slots' business will be carefully removed from the building and any screw holes/fixture points made good with plaster coloured to match the existing facade.

4.4.3 The existing facades to the ground floor south and west facing will be retained in their existing appearance as near as practicably possible, given that decayed timber will need replacing. The existing door furniture will also be replaced to resemble the existing. New Paintwork to all surfaces to be agreed with the planning department.

4.5 Landscaping

4.5.1 Not relevant to these proposals. The side way back to North Street will be used to store bins and securely park bicycles. A small space will exist between the gable end being formed and the back of the two parking spaces. This will provide the occupant of flat 1 the opportunity to personalise that space with some planters if desired.

4.6 Access

4.6.1 Access to the property already exists and is only being slightly altered at the rear. Adequate turning still exists on site to allow a vehicle to turn and leave the site in a forward gear from the two parking spaces being formed. Secure bicycle parking is being provided and it is anticipated that due to the site's highly accessible location occupants will generally be able to walk or cycle to fulfil their daily needs, or access public transport to reach employment and other services.

4.6.2 Owing to the Listed status of the Building, it is not proposed to form flush door thresholds to East Street or North Street (flats 3 and 4). There is one modest floor level change within the building (3 risers), but a stair rail will be provided. Clearly flats 1 and 2 being arranged over two floors will not be suitable for a person in a wheelchair.

5.0 **PLANNING POLICY CONSIDERATIONS**

5.1 The site is previously developed land located in an urban area and as such is an appropriate location for new housing in principle under Policies CS17 and AL2. It is asserted that the completed development constitutes high quality design and is compliant with Policy CS16 of the Core Strategy and constitutes sustainable development both in terms of the NPPF paragraph 11 and Policy AL1 from the site allocations DPD. The proposed development will help deliver the regeneration and refurbishment of this accommodation required under Policies CS6, CS14 and HB3. In particular, the following sustainable features of the refurbishment will be –

- Energy efficient boilers;
- Dual flow taps;
- Dual flow toilet pans.

5.2 In putting forward a purely residential conversion of the ground floor accommodation, the applicant has carefully considered the Council's Policies CS4 and AL3, including the direction of travel with regards to the town centre under Policy KP1 of the emerging local plan, which was withdrawn by the Council on 16 March 2022. There, paragraph 3.7 indicated that East Street was

to be excluded from the defined town centre. The background evidence document supporting that change is found within the Council's Town Centres Study (July 2020), where paragraph 6.47/Table 6 refers to the relevant run of primary shopping frontage as being 2-22 North Street, (i.e., excluding 1 East Street). Paragraph 6.86 then goes on to state –

“Recognising the need to consolidate the town centre (Section 3, 4 and 5) and the new retail development to the west, a boundary review of Havant Town Centre was undertaken in March 2017. It was concluded that East Street no longer performed a town centre function and should thus be removed from the town centre boundary (see Table 11). It would therefore be appropriate for the regeneration of East Street to be led by residential redevelopment.”

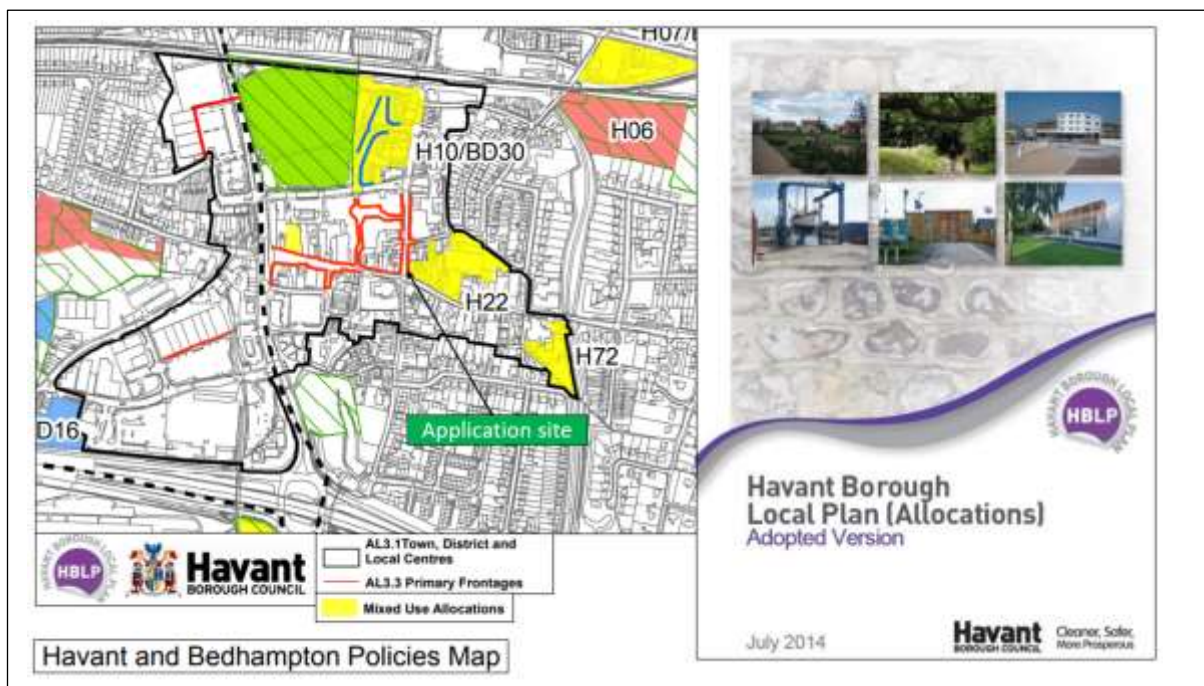
- again, reiterated in a recommendation at paragraph 10.6 to –

“amend the Havant...town centre boundary to delete East Street”

- and a further recommendation to –

“Consider the role that residential development can have for underused areas of the town centre and above first floor. This can achieve the twin benefits of meeting the need for housing and providing a sustainable future for the town centre. High density residential development could be suitable taking advantage of the presence of shops and services together with high public transport accessibility.”

- 5.3 The site allocations DPD (2014 – extract of proposals map shown below) allocated the application site along with other property to the east under Policy HB3 for mixed use, under site identifier H22, including residential within that mix.



- 5.4 In September 2020, the Government amended the Use Classes Order. This represented a sea change in national planning policy and the Government's approach to the high street. By introducing a new Class E and deleting former use classes including Class A1, Policy AL3 is now 'out of date', effectively meaning the NPPF paragraph provision in relation to town centres (Chapter 7- 'Ensuring the vitality of town centres') now is the main determinant of what is to be assessed as sustainable development at the application site.

Policy HB3 Havant & Bedhampton Mixed Use Allocations			
The following sites are allocated for mixed use development:			
Ref.	Location/Address	Site area	Proposed uses
H22	East Street	0.93 ha	- Housing (40 dwellings) - Community - Main town centre uses

- 5.5 The Town Centres Study referred to above shows the Council's intent moving forward, excluding East Street from the town centre boundary, albeit curiously the map in Appendix 5 still shows 1 and 2 East Street within that zoning – presumably a drafting error in the document. Paragraph 86 f) of the NPPF says –
“...Planning policies should...recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.”

The Council has done this at the application site by including it in allocation Policy HB3.

- 5.6 Notwithstanding this, the owner of the ground floor premises has sought to market the site, since the amusement centre/bingo hall became vacant in 2018. The submitted marketing report by Holloway Iliffe and Mitchell, dated 14 August 2023 supports this planning application in terms of the requirements of Policy CS2, strand 5 of the Development Plan. Section 7 of the report details the enquiries made from interested parties over a 2 year, 3 month period. Persons enquiring (only one making an initial offer) did not pursue their interest in terms of acquiring a lease and the premises have now been vacant for over 4 years, contributing nothing to the vitality of Havant town centre. Some who had expressed an interest, upon viewing the internal condition of the property, decided not to pursue their enquiry. During this time the fabric of the building has received little attention and the window frameworks have noticeably degraded and become rotten in certain places. There has also been a leak at some point and part of the floor has rotted. Overall, the previous owner has made reasonable attempts to let/sell the ground floor premises before selling to the current applicant.

- 5.7 Finally, under application APP/23/00388 the applicant promoted a mixed use of the site as a retail convenience store in the former amusement centre part of the floorspace and two flats in the remainder to the rear. Owing to an objection received, the Borough Highways Engineer considered that the likely daily servicing requirements of a convenience store would cause disruption to other highway users and a potential highway hazard. As such, it was agreed that the application would be withdrawn and a wholly residential development be promoted under this revised application.

- 5.8 By introducing an active use with secure points of access, residential use will enhance passive natural surveillance in the centre of Havant, especially during the evening, enhancing community safety under Policy CS8.
- 5.9 The Council's March 2023 Housing land supply update confirms the Council can currently only demonstrate 1.81 years' worth of housing land supply with a 20% buffer and that windfall gains have made a regular and useful contribution to housing delivery in the Borough. Policy CS9 sets out that between 2006 and 2026 a net total of 6,300 dwellings will need to be delivered in the Borough to meet the objectively assessed housing need, 450 of these needing to be extra care dwellings. In providing specialist housing of this type, the proposals also help the Council deliver its Policy DM7. The accommodation proposed will allow its vulnerable occupants the possibility to live with a measure of independence, knowing that staff (working shifts) are on hand in the building to lend support and assistance when needed. To that end, sleepover accommodation is provided within the layout and separate sanitary accommodation provided for staff and visitors, all accessed off a central break-out space for residents to congregate. The density of accommodation makes the best use of this highly accessible location.
- 5.10 In terms of transport impact, commercial deliveries to this ground floor accommodation will no longer be a potential source of traffic congestion or hazards to other highway users. Bearing in mind that residents would not be able to hold a driving licence, sufficient car parking would be available for visitors and staff working at the site and bicycle parking is provided for in the layout. Residents will have ready access to goods and services to meet their daily needs either on foot or bicycle. It is therefore considered that the aims and objectives of Policies CS20 and DM11-DM13 would be met.
- 5.11 To ensure that the Habitats Regulations 2017 are met, the applicant commits to mitigating the ecological impacts of additional nutrient loading to Budds Farm wastewater treatment works from the proposed flats and any potential increase in recreational disturbance at The Solent shorelines. In this way the European sites in Langstone Harbours will not be adversely impacted. The applicant understands this may need to be secured through a planning obligation. The applicant's calculation using the most up to date Natural England methodology is set out in the supporting report by Aquacalidus. ACHIEVE awaits contact from the planning case officer to understand what the Council's requirements are in writing. In this way the requirements of Policies CS11-strand 3, CS21 and DM24 will have been met.

6.0 **CONCLUSIONS –**

- 6.1 Whilst it might be argued that there is a technical breach of Policy CS4, strand 5/paragraph 3.54 of the Core Strategy, that Policy is now over 10 years old and the NPPF requires local plans to be reviewed every 5 years, with paragraph 120 d) requiring that decisions should –

“...promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively”.

And paragraph 122 going on to say –

“Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and

b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.”

And, finally, paragraph 123 stating –

“Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework”

- 6.2 There is a clear direction of travel in the emerging plan to remove East Street from the town centre boundary and thus 1 East Street from the current primary shopping frontage. The Council's last update indicates the Council only has a 1.81 year's supply of housing land and thus the tilted balance under paragraph 11 is applicable. The creation of 4 supported living flats would make a small but positive contribution to reducing that deficit and Policy HB3 entertains residential use as part of that allocation. With existing points of entry used, flats 3 and 4 would retain an active and legible frontage too. The minor loss of this floorspace whilst being a technical breach of CS4 must be weighed against the positive planning balance of bringing a vacant property back into beneficial use for specialist housing which is in short supply in the Borough.
- 6.3 The case for making the alterations to the street frontage windows has been made out in the Heritage statement and there is historic photograph evidence of some of these windows being openable. The raising of the roof to the rear is not considered to impact any neighbouring property and will bring the uniformity of appearance to the roof form, which had been envisaged and sanctioned under approval reference 96/52764/3. It is therefore considered that the character and appearance of the Conservation Area would be enhanced by those works and that the integrity and significance of this Grade II Listed building would be less than substantial, with the public benefits of the specialist housing providing a clear public benefit. As such, the requirements of Policies CS11, strand 4 and DM20 are considered to be met.
- 6.4 If any Council Officer or elected Member has any queries, I will be pleased to speak with them.

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