

Heritage Team Response

Date – 7/9/2023

APP/23/00493(Planning application) AND APP/23/00505 (Listed Building Application)

UPDATED RESPONSE - CHANGE TO WORDING ON CONDITION 2

Site

The application site is located on Havant Road in Emsworth and comprises a large, semi-detached, two-storey property. The property, along with the attached neighbour was built in 1805 and has been Grade II listed by Historic England with the following listing description:

‘Pair of houses, arranged symmetrically. 1805. Rendered front, stone with brick dressings and brickwork (painted); hipped slate roof. 2-storeyed, with a single-storeyed coupled porch joining the pair. Each unit has a symmetrical front (south) of 2 windows, rendered walling with plain eaves fascias and spaced coupled carved brackets to the wide eaves, stone cills, plain openings with frames for shutters. Sashes in reveals, with narrow side panes all round. The porchway has a Greek Doric Order, of a central column and 2 ½-columns, the interior walling being rusticated, and doorways having reeded architraves, enclosing a decorative fanlight and 4 panelled (2 topglazed) doors. The outer sides have single-storeyed wings of 1 window, and to the rear 2-storeyed wings, each with later but different additions. The rear elevations have a window below 2 roof hips, with stone walls and brick dressings. The interior (of No. 39) is virtually unaltered with architraves to doorways, a fine staircase with wreathed mahogany rail, fireplaces, and stone paving to the service quarter. At the rear there are narrow service structures, of stone, flint, brick and slate, with a 2-storeyed stable block (now a garage) to No. 39’.

To the rear of No. 41 there is a detached outbuilding, now converted into residential accommodation. There is also a single storey store which is partly open on the garden facing side. This is constructed of painted brick with a timber roof frame and slate tiles.

Proposal

Application descriptions for both applications - ‘Internal alterations to first floor. Minor alterations to external storage area’.

- The proposal including two elements. The first involves the first floor of the main house, where it is proposed to block up 2 x doorways, remove one door but leave the opening, and create 2no. new doors.
- The second element is the conversion of the external store area into an enclosed office space with a new door in place of the existing single door and new double doors within the newly created wall. This space would be insulated for internal use.

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.

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.

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.

NPPF

The revised NPPF (July 2021) 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:

189. 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.

194. 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.

195. 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.

196. 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.

197. 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.

199. 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.

200. 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.

201. 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.

202. 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 states 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 CP16 (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.

Emsworth Neighbourhood Plan

The Emsworth Neighbourhood Plan has now been adopted and has relevant policies which are applicable to this application:

Policy H1 – Design and Heritage

Policy H2 – Buildings of Local Historic Interest

Assessment

1. Proposed works to the first floor of the main house

The listed building application includes proposed works to reconfigure the first floor of the main listed building, including the blocking up of 2 x doorways, removal of one door but retaining an opening and the creation of 2no. new doors.

An additional plan has been provided which clearly show these proposed works. The removal of one door and the creation of two new openings, will result in some loss of historic fabric however, the existing layout of rooms will remain in terms of the retention of the main structural walls. Where a door is to be removed, the door lining and architrave is to remain in place. Where the new doorways are being created, the agent has confirmed that the doors to be removed or blocked up, will be reused in the new openings, therefore retaining elements of the historic fabric.

Given that the loss of historic material is minimal and that the existing doors will be reused, and existing door furniture retained, overall the proposal would result in negligible harm to the heritage asset, which would still retain its architectural significance in terms of structural room layout.

2. Proposed works to the single storey store:

The store is currently used for outdoor storage and the enclosed part is used as a boiler / storage room. The enclosed part seems to be constructed from a mixture of modern brick work with a flint wall on one side which has been painted cream and infilled with cement repairs on the internal side. The roof structure is timber and covered with slate tiles. There is a chimney breast on the elevation which attaches to the main house.

The proposal is to remove the dividing wall between the enclosed section and external section of the store and create one large office space. The existing boiler and chimney breast will be retained and enclosed by a new stud wall. A new insulated stud wall will be built to enclose the external area and double doors added here for access. The existing single door will be replaced. The dividing wall may have historic character on one side however, the interior side appears to be constructed from modern brick work with unsympathetic cement repairs. The external may have once been flint however, this has been covered with layers of cream paint so the character has been lost. Overall, the loss of the wall would not result in harm to the significance of the heritage asset. The proposed elevations show modern style doors which are not suitable for the character of the house. However, details relating to the style of door can be determined at a later date via a planning condition.

It is proposed that the existing floor is replaced. On the open storage side, this existing floor is paving slabs so not an issue for this to be replaced. However, on the enclosed side, the floor appears to be more historic with brick cobbles, which is characteristic of floors to ancillary areas of large houses. If possible, this floor should be retained underneath a new floor covering, rather than excavated.

Overall, there is no objection to this proposed conversion subject to further details on materials and new doors.

Conclusion

In summary, it is considered that the proposals would not be harmful to the significance of the designated heritage asset, meeting the test set out in Section 66 of the T&CPA 1990 (Listed Buildings and Conservation Areas).

NO OBJECTION subject to the following conditions:

1. Details and / or samples of any new external materials to be submitted prior to commencement
2. Full scale or 1:5 details of all new doors to be submitted prior to commencement
3. The relocation of the existing doors on the first floor as shown on 'Drwg No 196/06', shall utilise the existing door furniture from the two doors to be blocked up including; door, frame, liner and architraves on the new openings.