

Appendix A

Consultation Response Heritage Team

Heritage Team Consultation Response - Principal Conservation Officer

APP/23/00114

Site Address – Flat 7, Royal Apartments, Sea Front, Hayling Island

Date of response – 11/4/2023

Proposal:

Listed building consent for the replacement of 6No. single glazed sash windows on the north elevation.

The Site:

The Royal Apartments is situated in the south of Hayling Island, with the south elevation (the principal elevation) fronting onto Hayling beach. The building, which is now subdivided into apartments, was formerly the Royal Hotel, built in circa 1825 and is a Grade II listed building (listing date: 26/5/76).

The Historic England listing description is as follows:

Former hotel, continued in use by a London Borough, for its local people. Circa 1825. Painted brick, stucco features, and a slate roof. Symmetrical front (south) of 3 storeys, 2.2.3.2.2 windows, each unit marked by plain pilasters and the projecting centrepiece (with an early C20 westward extension of 5 attic above 4 windows). Brick walling in Flemish bond, rubbed flat arches, arched openings to (the original) ground floor; stucco cornice, with a blocking course (or parapet) raised above the centrepiece as a low pediment, 2nd floor band. Sashes in reveals (mostly Victorian). The feature of the building is a 1st floor cast-iron balcony across the 3 middle units, mocked at the ground floor by a continuous modern glazed porch across the whole of the old front, The central doorway has a fanlight above double ½-glazed doors.

Flat No. 7, which is subject to this application, is situated on the fourth (top) floor with a north and southerly aspect. The north elevation includes 6no. wooden framed, single glazed, sash windows, with secondary glazing. The south elevation includes 2no. replacement timber frame sash windows with slimline double glazing.

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.

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.

Assessment

- 1.1 This proposal is for the replacement of the 6no. sash windows on the north elevation of Flat No. 7, which is on the fourth floor of the building, overlooking the car park. The proposal is to replace these windows with new hardwood sash windows with slim line style double glazing (depth of glazing would be 14mm (4/6/4)), filled with a white spacer bar and with horns on the top fixed sash only.
- 1.2 The existing windows are historic in their character comprising timber framed, (painted white), timber sash windows with 4no. single glazed panes and slender glazing bars fixed in place with putty. The windows are slightly recessed into their reveals and the glazing, further recessed again, results in a very traditional appearance. The single glazing allows for the narrow and elegant glazing bars. This style of windows is evident across the north elevation of the building which is highly visible from the road known as Sea Front. The windows on the lower floors are larger in size.
- 1.3 A short heritage statement has been included with the application which touches on the historical significance of the building, that being its date of construction and acknowledgement of its listing. The justification provided for the replacement of the windows is that they are in poor condition with peeling paint and defective mechanisms. It is stated that whilst some could be repairable, the main objective for their replacement is to increase thermal efficiency, which can only be achieved if all the windows are replaced with double glazing. Secondary double glazing is installed on these windows, but the owner finds this to be ineffective.

- 1.4 Planning permission and listed building consent was granted in 2020 for the replacement of 2no. windows on the north elevation, with new timber framed windows with slimline style, double glazing. The justification for the granting of these applications was that whilst replacement, sealed double glazed units would not as a rule be supported within a listed building where historic windows remained in situ, an exception is made in this instance given the exposed location of this elevation to the sea front and the weather extremities it experiences.
- 1.5 The LPA recognises and is aware of the increasing wish for owners of listed buildings to be more energy efficient, given the recent upsurge in energy prices in the UK. However, when it comes to a listed building, one which is statutorily protected as a piece of history, a more considered approach to energy efficiency is required. More often than not, this approach needs to be bespoke to the particular building, taking into account any previous changes which have taken place, some of which may have been harmful to the historical or architectural significance of the asset. Historic windows and doors make a major contribution to the significance and character of historic buildings, so every effort should be made to retain them where possible, rather than replace them. Windows and doors can portray elements of a building's history, including changing architectural styles, social hierarchy, building economics and craft skills.
- 1.6 The LPA has a duty to adhere to planning law and in particular regard to listed buildings, the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66 of this act 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.** This requirement is also built into national and local planning policy.
- 1.7 With regards to thermal efficiency, this is very rarely a sound reason in itself for replacing an original, historic window which has architectural/historic significance. There are several ways in which a window or door can be made more effective to reduce heat loss. This could include the use of a specialist company which engages in overhauling, repairing and fitting draught seals. Research undertaken by Historic England has demonstrated there are opportunities for enhancing the thermal efficiency of a typical timber window by up to 60% through the use of basic cost-effective measures, including traditional curtains, blinds and shutters; draught proofing and secondary glazing incorporating low-emissivity glass. Historic England also advise adopting a 'whole building approach', which is site specific and takes into account all factors affecting energy use.
- 1.8 With regards to slimline style glazing, Historic England advise that this would be a suitable solution where it is proposed to replace non-traditional, unsympathetic windows in unlisted buildings within conservation areas. It may also be an appropriate solution for use in new extensions to listed buildings.

- 1.9 The windows which are subject to this listed building application, make an important contribution to the architectural significance of the building, being surviving example of traditional style windows, retaining single glazing and narrow profile glazing bars. These windows, along with the others on the north elevation, provide an elegance and uniformity which further enhances the wider appreciation of the significance.
- 1.10 It is recognised that being positioned on the top floor, the proposed changes to the windows are unlikely to be noticeable from the context of the streetscene. However, it is considered that the loss of these windows and replacement with double glazed units would still be harmful to building's significance. Whilst it is appreciated that slimline style, double glazing can achieve a more traditional look than a standard double-glazed unit, it still cannot replicate exactly the narrow glazing bar profile.
- 1.11 The duty of the LPA is to protect the significance of their designated heritage assets and the advice from Historic England is to repair, rather than replace historic windows, given that there are a number of other measures which can be explored to achieve a more thermally efficient building, such as the whole building approach and prioritising maintenance.
- 1.12 As per the NPPF guidance, the level of harm must be identified and this proposal is considered to result in 'less than substantial harm' at a low level. Para 202 of the NPPF advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 1.13 It is concluded that in this case, the proposal does not accord with Para 202 of the NPPF, as there are no public benefits which would outweigh the harm. The application should therefore be recommended for refusal.

CONCLUSION – OBJECTION

Suggested reason for refusal:

'The proposed replacement of the 6no. windows within the north elevation with slimline style double glazing, would be harmful to the architectural and historical significance of the building, resulting in less than substantial harm, at the low end of the scale, for which there are no public benefits arising'.

Contrary to Paragraph 202 of the NPPF and Policy CS11 of the Local Plan (Core Strategy)

Appendix B

Borough Map

Borough of Havant

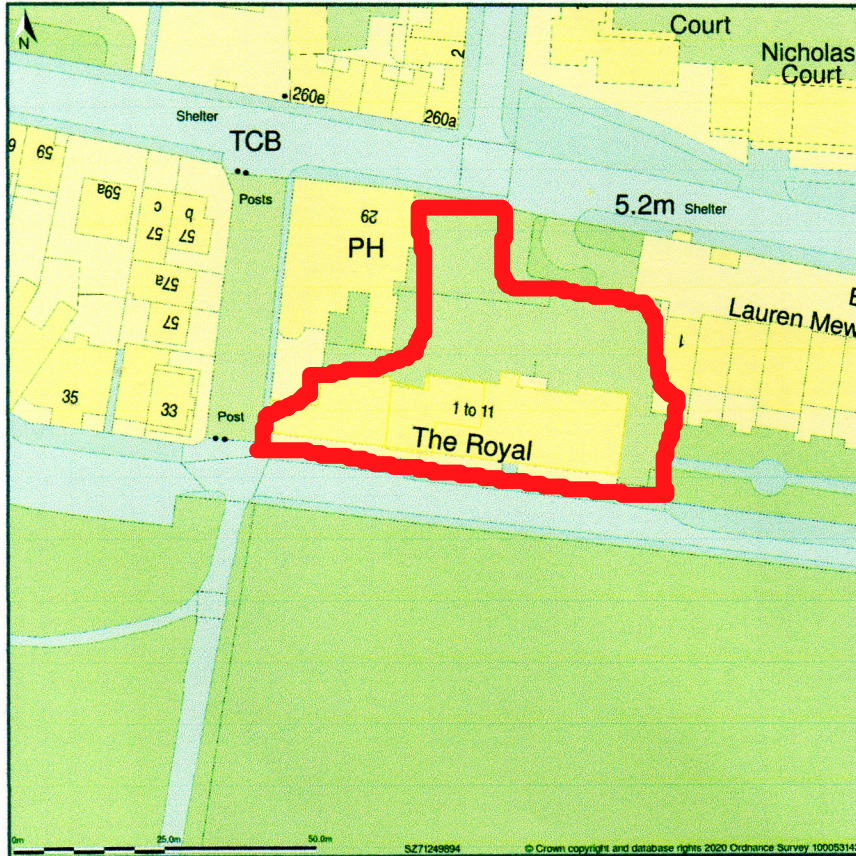


- Main Retail/Commercial/Office Areas
- Urban Areas
- Industrial Areas
- Open Space/Recreation
- Borough Boundary

Appendix C

Location Plan

Flat 7, Royal Apartments, 31, Sea Front, Hayling Island, Hampshire, PO11 0AD



Site Plan shows area bounded by: 471174.74, 98873.31 471316.16, 99014.73 (at a scale of 1:1250), OSGridRef: SZ71249894. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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