

Havant Borough Local Plan (Core Strategy) March 2011

- CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

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

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: Grade 2

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Conservation Officer

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.

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.

Historic England Advice:

In addition to the advice laid out in the NPPF, Historic England has published planning

advice in the form of Good Practice Advice Notes (GPA's) and Historic England Advice Notes (HEANs). Most relevant to this application will be GPA2 – Managing Significance in Decision Taking in the Historic Environment.

GPA2 states at paragraph 4 - 'The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest'. It also advises that an assessment of significance is required as part of the application process including the understanding of the nature of the significance, the extent of that significance and level of significance. Paragraph 11 states 'to accord with the NPPF, the application will need to undertake an assessment of significance to inform the application process an extent necessary to understand the potential impact (positive or negative) of the proposal and the level of thoroughness proportionate to the relative importance of the asset whose fabric or setting affected'.

Local Planning Policies:

Policy CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) 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 CS16 (High Quality Design) (1a) of the Core Strategy states that 'Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

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.

Proposal:

The proposal is to replace the existing UPVC first floor, balcony doors with timber frame replacements. The replacements will have double glazing of the slim line design – 4-6-4 (14mm total).

Assessment:

The proposal to change the frames from UPVC to timber is supported from a heritage perspective as this material is far more appropriate for use on a listed building than UPVC. The proposed replacements would include slim line style double glazing. This

would not normally be supported in the context of a listed building however, given that the existing windows are not historic and due to the very exposed nature of the south elevation to the coastline elements, there is a justification for enhanced energy efficiency of windows on this elevation. As such, it is considered that an exception can be made in this case. There will be a small degree of harm caused as a result of this change however, such harm is outweighed by the more appropriate use of timber for the frames and the wider benefit of energy efficiency it would give to this exposed elevation. This has been the case with recent applications within the former Royal Beach Hotel (the adjacent listed building) and No.'s 53 and 49 Sea Front, whereby slim line double glazing was approved for replacement windows / doors in the south elevations.

Conclusion: **No Objection**

Councillor Brenda Linger - Hayling West

No comment received.

Councillor Clare Satchwell - Hayling West

No comment received.

Councillor Julie Richardson

No comment received.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 40

Number of site notices: 1

Statutory advertisement: 30/05/2023

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Impact on the heritage and character of the listed building
- (iv) Impact on the neighbouring amenities

- (i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the character and appearance of the area

- 7.3 The proposal amounts to replacing 3 existing plastic doors with wooden French doors of painted white frames and double glazing on the South elevation. The design would be similar to the existing openings and numbers: 37, 39, 41, 43, 45 and includes double glazing 4mm-6mm-4mm, giving a total of 14mm.
- 7.4 Comparing the proposed doors design and material to the existing windows and doors of other flats on the South elevation, it is considered that the alterations would improve the overall aspect of the façade without altering the nature and general features of the listed building. Comments from the Conservation Officer confirmed that the intended design and material for the doors appears to be in keeping with the nature of the dwelling.
- 7.5 It noted that the conservation officer did not object to the proposal. Consequently, it is considered that the design and appearance of the proposal is deemed appropriate in context to the main building and would not result in any adverse impact on the visual amenity of the locality and is therefore considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the HBLP (Core Strategy).

(iii) Impact on the heritage and character of the listed building

- 7.6 The property is a Grade II listed building, although it is not situated in a Conservation Area. The Council's Conservation Officer has provided comments and is of the opinion that the proposed works would have a minimal impact on the historic core of the property and as such, would conserve its character. Additionally, a heritage statement has been submitted as part of the application which covers the requirements of policy DM20 of the HBLP (Allocations) and explains how the proposed changes will improve the visual aspect of the building restoring it to its original appearance, meeting the requirements of policy CS11 of the HBLP (Core Strategy).
- 7.7 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. Comment from the conservation officer states that though a slim line double glazing design would not normally be supported, due to the exposed nature of the south elevation to coastline elements there is justification for enhanced energy efficiency of windows in this elevation. In addition, similar proposals have been permitted within the former Royal Beach Hotel (the adjacent listed building) and other proposals within the same building. Hence, no objection is raised to the application by the Conservation Officer.
- 7.8 Consequently, it is considered that the proposal would not result in a detrimental impact on the heritage assets and the proposed works would serve to preserve the building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(iv) Impact on the neighbouring amenities

- 7.9 Although the front elevation is visible from the streetscene, the proposed works on the new doors amount to minor alterations which would not result in any adverse impact

on the amenities of neighbouring properties. It is noted that there are no existing properties opposite the site as it has a direct view on the sea.

- 7.10 Therefore, it is considered that the proposal would have limited and acceptable impact on the immediately adjacent properties, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the proposed works.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours, the character of the area and the visual impact of the listed building and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT LISTED BUILDING CONSENT** for application APP/23/00209

Subject to the following conditions:

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.
Reason: To comply with the requirements of Section 18 of the Planning (Listed Building and Conservation Areas) 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 and documents:

BLOCK PLAN

LOCATION PLAN

PROPOSED DOOR AND WINDOW DETAILS AND PART FLOOR PLAN

DESIGN AND ACCESS STATEMENT AND HERITAGE STATEMENT

PHOTO OF WINDOWS FOR REPLACEMENT

Reason: - To ensure provision of a satisfactory development.
- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans and details.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

