
Site Address: Emsworth Dental Surgery, 30 High Street, Emsworth,
PO10 7AW

Proposal: Listed Building Consent for First and Second Floor Spaces to be
converted from Residential (C3) to additional space for Dental Surgery (E), with internal
alterations.

Application Type: Listed Building Consent

Application No: APP/23/00684 Expiry Date: 29/09/2023

Applicant: Mr Gabriel
Emsworth Dental Surgery

Agent: Miss Knight Case Officer: Tina Pickup
Helyer Davies Architects Ltd

Ward: Emsworth

Recommendation: **GRANT LISTED BUILDING CONSENT**

1 Site Description

- 1.1 The site is located on the north eastern side of the High Street, directly opposite the square, and comprises a three storey, Grade II Listed building. It was formerly the Lloyd's Bank and is now occupied by Emsworth Dental Surgery on the ground floor with 2 bed residential flats on each of the first and second floors above. The Listing details describes the building as:

Bank. Early C19. Stucco. Symmetrical front (west) of 3 storeys, 3 windows. Mid C20 eaves cornice, quoins, 2nd floor bands with keys, thin architraves. Sashes in reveals. Classical mid C20 ground floor with continuous cornice, frieze, pilasters, enclosing sash windows and entrances, plinth.

- 1.2 The site lies within Emsworth Conservation Area, the Chichester Harbour AONB, and the Emsworth District Centre (policy CS4) and within the Primary Frontage Area (policy AL3) as defined by the adopted policies map. The site lies outside any current or future flood zone.

2 Planning History

00/63696/004 - Listed Building Consent application for proposed installation of satellite receiving dish to south east elevation, PERM,15/12/2000

00/63696/003 - Proposed installation of satellite receiving dish to south east elevation, PERM,15/12/2000

99/63696/002 - Non-illuminated fascia and hanging sign to front elevation. (Revised application). PERM,09/04/1999

98/63696/001 - Listed building application for internally illuminated fascia sign and non-illuminated name plate projecting sign to front (west) elevation., REF,07/12/1998

98/63696/000 - Internally illuminated fascia sign and projecting sign to front (west) elevation., REF,07/12/1998

03/63696/005 - Listed Building Consent for removal of entrance step and front door extended down to achieve level access to the building., PERM,08/01/2004

04/63696/007 - Display of an internally illuminated static ATM sign to the front (south west) elevation., WD,27/10/2004

06/63696/008 - Display of internally illuminated fascia sign and projecting sign fronting High Street., REF,08/01/2007

07/63696/009 - Display of non-illuminated fascia sign and projecting sign fronting High Street., PERM,09/03/2007

APP/11/01282 - Change of use of upper two floors to 2No. 2 bed flats and single storey rear ground floor office extension., PERM,11/10/2011

APP/11/01323 - Listed Building Consent to demolish lean-to roof above boiler room to rear at first floor level, part of external stair case and internal alterations., PERM,11/10/2011

APP/13/00199 - Display of replacement lettering above front entrance (LLOYDS BANK - non illuminated); 1No. illuminated hanging sign; 1No. illuminated ATM header sign; and non-illuminated branch name plate, vinyl detail and letter box sign., PERM,14/05/2013

APP/13/00231 - Listed Building Consent for display of replacement lettering above front entrance (LLOYDS BANK - non illuminated); 1No. illuminated hanging sign; 1No. illuminated ATM header sign; and non-illuminated branch name plate, vinyl detail and letter box sign., PERM,14/05/2013

APP/13/00926 - Variation of Condition 2 of Listed Building Consent APP/11/01323 to provide for revised trigger points for submission of further details., PERM,07/11/2013

APP/13/01210 - Listed Building Consent for relocation of ATM and infill of vacant opening; redecoration of front elevation; reconfiguration of ground floor accommodation., PERM,29/01/2014

APP/13/01227 - Relocate ATM and infill vacant opening., PERM,29/01/2014

APP/13/01272 - Display of 1No. illuminated A1 portrait window marketing unit, PERM,12/02/2014

APP/15/00125 - Change of use and alterations of part of rear ground floor from banking use to form one new one bedroom flat and repositioning of external staircase., WD,26/03/2015

APP/15/00138 - Listed Building consent for alterations of part of rear ground floor from banking use to form one new one bedroom flat and repositioning of external staircase., WD,26/03/2015

APP/15/00191 - Variation of Condition 3 of Planning Permission APP/11/01282 to vary approved plans., WD,07/04/2015

APP/15/00192 - Partial Discharge of Condition No/s 2c and 2e of Listed Building Consent APP/11/01323, WD,07/04/2015

APP/15/00193 - Partial Discharge of Condition No/s 1.1, 1.2 and 1.4 of Listed Building Consent APP/13/00926., WD,07/04/2015

APP/15/00194 - Variation of Condition 4 of Listed Building Consent APP/11/01323 to vary approved plans., WD,07/04/2015

APP/15/00306 - Listed Building Consent for conversion of ground floor from an unused bank A2 to a dentist practice D1. First and second floor existing flat to be renovated. Refurbishment of external building. Single story extension to rear of ground floor. Remove external steel stair fire escape. Create separate front entrance at ground level for flats on upper levels. Create stair core for fire egress (approved 04/06/2015). Request to Discharge Condition No. 3 (04.04.2016)., PERM,04/06/2015

APP/15/00750 - Discharge of Condition No. 3 of Planning Permission APP/15/00305., PERM,20/07/2015

APP/15/00305 - Conversion of ground floor from an unused bank A2 to a dentist practice D1. First and second floor existing flat to be renovated. Refurbishment of external building. Single story extension to rear of ground floor. Remove external steel stair fire escape. Create separate front entrance at ground level for flats on upper levels. Create stair core for fire egress., PERM,04/06/2015

APP/15/00817 - Discharge of Condition No. 3 of Listed Building Consent APP/15/00306., PERM,06/08/2015

APP/22/01229 - Change of use of first floor from residential (Use Class C3) to Dental Surgery (Use Class E(e)) in association with ground floor Dental Surgery with new internal staircase and internal alterations (approved 10.3.23). Request to discharge condition 3 (recd 5.4.23)., PERM,10/03/2023

APP/22/01230 - Listed Building Consent for new internal staircase and internal alterations., PERM,10/03/2023

And other current application on site:

APP/23/00683 - First and Second Floor Spaces to be converted from Residential (C3) to additional space for Dental Surgery (E), with internal alterations., PERM,

3 Proposal

Listed Building Consent for First and Second Floor Spaces to be converted from Residential (C3) to additional space for Dental Surgery (E), with internal alterations.

4 Policy Considerations

National Planning Policy Framework

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)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H1 (Design & Heritage)

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Joint Supplementary Planning Document - Chichester Harbour Area of Outstanding Natural Beauty

Listed Building Grade: Grade 2

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Conservation Officer

Background

No. 30 High Street is Grade II listed building located within the centre of the north side of the High Street. It is located within the Emsworth Conservation Area. The building dates back to the early C19 and comprises 3 storeys with a symmetrical frontage of 3no. sash windows in reveals.

The building was formerly used as Lloyds bank with residential flats on first and second floors. However, in 2015, permission and LBC were granted for the ground floor to be converted into a dental surgery, which was implemented. In 2022, permission and listed building consent was granted to convert the first floor flat into a dentist to expand the ground floor business. This has not been implemented.

Proposal

APP/23/00863:

First and Second Floor Spaces to be converted from Residential (C3) to additional space for Dental Surgery (E), with internal alterations.

APP/23/00864:

Listed Building Consent for First and Second Floor Spaces to be converted from Residential (C3) to additional space for Dental Surgery (E), with internal alterations.

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 (September 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:

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.

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.

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

In contrast to the previous planning approvals, the proposal is now to convert both the first and second floors of the building to part of the dentist business. By including the second floor in the conversion proposal, the existing staircase can be incorporated and utilised. This means that the previously approved additional staircase is not necessary and therefore, this revised development requires less intervention with the internal physical fabric. Some loss of historic building fabric will still occur at ground floor to facilitate an opening to access the existing sta

ground or second floors). This scheme would involve the inclusion of additional insulation on the rooms marked up to be surgeries (as shown on the Noise Assessment and Mitigation Scheme Nov 2023), as these room are likely to create more noise from machinery. The insulation proposed is Steico therm insulation which is a wood fibre insulation with more breathable qualities and therefore suitable for a historic building.

Overall whilst the revised application would result in the second floor being converted, only a very small amount of historic fabric will be lost. Therefore, the scheme would not alter the historic and architectural significance of the heritage asset, nor have any harmful impact on the conservation area. The proposal therefore accords with the relevant sections of the T&CPA 1990 and national and local planning policies.

Conclusion

NO OBJECTION

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: 15

Number of site notices: 1

Statutory advertisement: 06/10/2023

Number of representations received: 0

Comment	Officer Comment
None received	

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) Impact upon Listed Building and character of Conservation Area

(i) Principle of development

- 7.2 The application site is located within the defined urban area, 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 is 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.

(ii) Impact upon Listed Building and character of Conservation Area

- 7.3 As the change of use relates to the first and second floors only, with no associated external works, then the character of the Conservation Area would be preserved. The associated internal works are minor and have been considered by the Council's Conservation officer, including the application of internal noise insulation. The planning history is noted and the current scheme would result in less intervention of the internal fabric of the building through the use of the existing staircase rather than insertion of a new staircase. Whilst some minor internal works would be required to provide an opening to the existing stairs, overall the works would be less intrusive than the previous approval and therefore a preferable scheme.
- 7.4 Negotiations have also taken place over the sound insulation necessary to ensure it is breathable and appropriate for the historic building. Overall the proposal would only result in a very small amount of historic fabric being lost, and this would not alter the historic and architectural significance of the heritage asset or have any harmful impact on the conservation area.
- 7.5 The proposal is therefore considered to accord with the Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and be compliant with the requirements of Policies CS11, and CS16 of the HBLP (Core strategy) and policy DM20 of the HBLP (Allocations) and Policy H1 of the Emsworth Neighbourhood Plan 2019 – 2036.

8 Conclusion

- 8.1 The proposed development would preserve the historic significance of the Grade II Listed Building and the character of the Conservation Area in accordance with Sections 66 and 72, Policies CS11, CS16 and DM20. It is therefore considered to be acceptable and is recommended for listed building consent to be granted - all the necessary conditions are on the associated planning permission.
-

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT LISTED BUILDING CONSENT** for application APP/23/00684 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.