
Site Address:	Royal Apartments, 31 Sea Front, Hayling Island		
Proposal:	Listed building application for repair works to the balcony.		
Application Type:	Listed Building Consent		
Application No:	APP/23/00846	Expiry Date:	18/01/2024
Applicant:	Mr Walliker Seafront Apartments Management Co Ltd.		
Agent:	Mr Reynolds Reynolds Associates	Case Officer:	Denise Sheath
Ward:	Hayling West		

Recommendation: **GRANT LISTED BUILDING CONSENT**

1 Site Description

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.

The south elevation, which fronts onto the sea, features a black wrought iron veranda structure with a balcony at first floor supported by iron columns.

2 Planning History

90/52109/003 - Change of use to homeless accom for up to 18 families (max no. of people 54) mgrs. & emergency accom together with communal living accom as o/l red in drawing no 54/434. PERM - 08/11/1990

01/52109/014 - Listed Building Application for raising in height of South-East boundary walls to 1.6m (retrospective application). PERM - 21/12/2001

01/52109/015 - Listed building application to raise height of part of North boundary wall to 2.35m (work completed). PERM - 18/12/2001

97/52109/012 - Demolition of part, conversion and alterations to existing hotel to form 11 flats (9 no 2 bedroom flats, 1 no 3 bed flat and 1 no 1 bedroom flat and construction of 7 no 3 bedroom town houses with associated parking, landscaping and new access onto Sea Front Road. PERM - 01/09/1997

97/52109/013 - Listed Building application for conversion and alterations to existing hotel to form 10 no 2 bedroom flats with associated parking, landscaping and new access onto Sea Front Road. PERM - 01/09/1997

95/52109/010 - Demolition of part, alterations to and conversion of existing hotel to form 10 two bedroom flats and 1 one bedroom flat and construction of three storey building containing 12 two bedroom flats with associated parking and landscaping WD - 12/02/1995

95/52109/011 - Demolition of part, alterations to and conversion of existing hotel to form 10 two bedroom flats and 1 one bedroom flat and construction of three storey building containing 12 two bedroom flats with associated parking and landscaping WD - 12/02/1998

94/52109/006 - Retention of screen fence to refuse area and gravel car park. REF - 23/06/1994

94/52109/007 - Listed Building Consent for retention of screen fence to refuse area and gravel car park. REF - 23/06/1994

94/52109/008 - Listed Building Consent for conversions/alterations to the existing Listed Building to part Hotel/Residential use & development of land to provide town houses and flats. WD - 14/08/1995

94/52109/009 - Conversion & alterations to existing hotel to hotel and 6 apartments & construction of 6 Town Houses(2blocks-3 storeys)and 9 flats (single block - 3storeys). WD - 14/08/1995

93/52109/005 - Internal alterations to provide new bathrooms to room 6,8,10,12,15,16 & 18. PERM - 17/02/1994

09/66457/005 - Listed Building Consent for the replacement of two windows and a pair of double doors. PERM - 16/10/2009

APP/11/01519 - Replacement of existing window with french doors and replacement of existing door with window on ground floor of the south elevation. PERM - 14/12/2011

APP/11/01558 - Listed Building Consent for replacement of existing window with french doors and replacement of existing door with window on ground floor of the south elevation. PERM - 14/12/2011

APP/11/01752 - Installation of window at first floor to north elevation. PERM - 06/01/2012

APP/11/01755 - Listed Building Consent for installation of window at first floor to north elevation. PERM - 06/01/2012

APP/14/01233 - Unauthorised Installation of double glazed UPVC windows. NFA - 27/11/2014

APP/16/00225 - New terrace with boundary walls and alterations to access ramp. PERM - 21/04/2016

APP/16/00226 - Listed Building Consent for new terrace with boundary walls and alterations to access ramp. PERM - 21/04/2016

APP/16/01299 - Listed Building application for replacement double glazed timber sliding sash windows. PERM - 16/02/2017

APP/17/00050 - Listed Building application for internal modifications. PERM - 06/03/2017

APP/21/00331 - Listed Building Consent for replacement of existing window with french doors and replacement of existing door with window on ground floor of the south elevation. PERM - 13/05/2021

APP/22/00982 - The erection of a first-floor rear terrace area to include 1.1 and 1.8 metre high balustrades. (07.02.23). Request to discharge condition 4 (recd 14.8.23). PERM - 07/02/2023

APP/23/00114 - Listed building consent for the replacement of 6No. single glazed sash windows on north side of flat. REF - 28/04/2023 Current Appeal

3 Proposal

Listed building application for repair works to the balcony.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

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)

Listed Building Grade: Grade 2
Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Conservation Officer

Site

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Proposal

Repair works to the balcony on the south elevation

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 (December 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:

195. 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.

200. 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.

201. 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.

202. 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.

203. 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.

205. 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.

206. 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.

207. 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.

208. 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

The proposed repair works are as follows:

- Minor repairs to the leadwork of the roof covering
- Maintenance repairs to the rainwater goods
- Replace to timber members, both structural & decorative
- Structural strengthening of the roof structure
- Structural repair to the balcony deck Repairs to metal colonnades balustrades & handrails
- General preparation & decoration

The proposed repairs are set out in detail in the 'Schedule of Works' and 'Justification and Impact Assessment' which have been submitted with the application. The proposed repair works are sensitive to the historic character of the building, setting out a sympathetic repair method which requires limited intervention to the heritage asset, whilst improving the longevity of the asset by preventing or reversing issues such as water ingress or structural cracks. The proposed materials for the repairs are appropriate to the character of the building and the architectural feature of the veranda / balcony itself.

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. The proposed repairs are carried out in strict accordance with the 'Schedule of Works' hereby approved as part of this application.

Historic England

Thank you for your letter dated 13 December 2023 regarding the above application for Listed Building Consent. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are attached.

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request.

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: 30

Number of site notices: 1.

Statutory advertisement: 22/12/2023

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) Impact upon the character and appearance of the Listed Building
- (iii) Impact upon residential amenity
- (iv) Flood Risk

(i) Principle of development

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

The site affects a Listed Building, Section 66 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.

(ii) Impact upon the character and appearance of the Listed Building

7.2 The impact of the proposal, on the character and appearance of the Listed Building has been carefully assessed by the Councils Conservation Officer who has no objection to these proposed repair works subject to a condition to ensure the proposed works are carried out in accordance with the schedule of works. The proposal is therefore considered to conserve the character and setting of the listed building.

7.3 The proposal is therefore considered to be acceptable, meeting the requirements of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and meet the requirements of Policy CS11, CS16 of the HBLP (Core strategy), DM20 (Local Plan Allocations. If permission is granted, the condition of the Conservation Officer is recommended.

(iii) Impact upon residential amenity

- 7.4 The repair to the existing balcony would remain similar to the existing balcony and would have no additional impact upon neighbour amenity. The development is therefore considered to be acceptable with regard to residential amenity. It is also noted no objections were made with regards to the proposal. Therefore meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Flood Risk

- 7.5 The proposed alterations fall within the definition of 'minor development in relation to flood risk and does not require a consultation or further action.

8 Conclusion

- 8.1 The proposed repair to the existing balcony would preserve the character of the listed building. Therefore the proposal is considered to accord with the requirements of the adopted Local Plan (Core Strategy) policies CS11 and CS16 and policy DM20 of the Local Plan (Allocations) and Section 66 and of the Town & Country Planning Act 1990 (Listed Buildings and Conservation Areas) and can be considered acceptable for approval.

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT LISTED BUILDING CONSENT** for application APP/23/00846 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:

Application Form - Received 07 November 2023
Justification and Impact Statement - Received 07 November 2023
Schedule of Repairs - Received 07 November 2023
Statement of Significance - September 2023 - Received 07 November 2023
Location Plan - Received 07 November 2023
Block Plan - Received 07 November 2023

Reason: To ensure provision of a satisfactory development.

- 3 The proposed repairs are carried out in strict accordance with the 'Schedule of Repairs' hereby approved as part of this application.

Reason: To ensure the appearance of the development is satisfactory and in order to safeguard the building's special architectural and historic interest and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.