Site Address:	Church House, The Pallant, Havant, PO9 1BE		
Proposal:	Construction of 4no. brick buttresses to rear side of existing brick boundary wall.		
Application Type:	Full Planning Permission		
Application No:	APP/23/00006	Expiry Date:	02/03/2023
Applicant:	PCC of St Faith's Havant c/o Shelley Saunders		
Agent:	Richard Andrews Carden & Godfrey Architects	Case Officer:	David Eaves
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

1.1 The application site relates to St Faiths Church House, The Pallant which is listed as a Grade 11 listed building and is within the St Faiths Conservation Area. The area is a mix of residential and commercial properties with the town centre shopping area located to the south and west.

To the east of Church House is a tall brick boundary wall facing onto The Pallant pedestrian pavement area. St Faiths Church House is statutorily listed as being of architectural and historic interest, the listing description does not refer to the boundary wall, but it is within the curtilage of the building.

2 Planning History

02/61367/002 - Application to crown lift and crown reduce the radius of a Yew tree (T1) subject to TPO 1686., PERM,17/01/2003

97/61367/001 - Crown reduce Yew tree covered by TPO 1686, PERM,23/12/1997

95/61367/000 - Listed Building Consent for replacement door on East elevation., ,01/12/1995

07/61367/003 - Application to fell a Common Yew (T1) subject to TPO 1686 within St Faiths Conservation Area. , REF,03/05/2007

07/61367/004 - Crown lift to 3m from ground level, remove epicormic growth to the height of the first major limbs, lightly prune crown area shortening longer lateral limbs where required to balance a Common Yew (T1) subject to TPO 1686. PERM,09/07/2007

08/61367/005 - Listed Building Consent for fixing Heritage Trail plaque to boundary pillar., PERM,23/05/2008

08/61367/006 - Construction of new store on site of existing dilapidated building, and change of use and alterations to provide 2No. first floor flats and 2No. ground floor offices., PERM,27/11/2008

08/61367/007 - Listed Building Consent for construction of new store on site of existing dilapidated building, and change of use and alterations to provide 2No. first floor flats and 2No. ground floor offices., PERM,27/11/2008

APP/13/00215 - Reduce 1No. Yew (T1) to provide 2m clearance from roof of Coach House subject to TPO 1686., PERM,15/04/2013

APP/17/00624 - Listed Building application for display of 2No. non-illuminated Notice Board signs attached to exterior of Church House., PERM,04/08/2017

APP/17/00625 - Display of 2No. non-illuminated Notice Board signs attached to exterior of Church House; 1No. non-illuminated Aluminium 'A' frame folding sign located in front courtyard; 2No. Waterproof banner signs attached to front railings. , PERM,04/08/2017

APP/17/00785 - Listed Building Consent for installation of a new boiler and an external flue., PERM,11/10/2017

APP/18/00911 - Remove epicormic growth on the stem and crown reduce by up to 1m 1No. Yew tree within the conservation area of St Faiths and subject to TPO 1686., PERM,14/11/2018

APP/23/00007 - Listed Building Consent for construction of 4no. brick buttresses to rear side of existing brick boundary wall., DEL, **Officer Comment:** This is the current 'sister' LBC application

3 Proposal

Construction of 4no. brick buttresses to rear side of existing brick boundary wall.

The proposal will involve the removal of the existing timbers and iron works from the four external piers of the existing wall facing onto The Pallant and the construction of brick piers to support the existing wall.

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

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Grade 2
Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

Conservation Officer

Original Comments:

Background

The application site is located in the Pallant in Havant Town Centre. It is located within the St Faiths Conservation Area.

Church House was originally Pallant House and is Grade II listed. The formal listing is as follows:

House (church office). C18, with early C19 alterations. Brick, with a tile roof. Symmetrical north side of 2 storeys and attic, 3 windows. Tile roof with coved plastered eaves, 3 hipped dormers with sashes. Painted brick walling in Flemish bond, rubbed flat arches, plastered 1st floor band and plinth. Victorian sashes. The west gable, with southward extensions, includes decorated cusped bargeboards and a porch of 4 columns, with cornice, panelled frieze, 6-flush-panelled door between side windows. The long east wing has a tile roof, brick dentil eaves, red brick walls in Flemish bond, rubbed flat arches, and Victorian sashes. The plain, brick and tile, stable block at the south-west corner, is used as a shop.

The church hall lies to the east of the main listed house and occupies part of the garden. There is a 2m high brick wall which extends along part of the Pallant, enclosing the private car park to the site. This is supported by brick buttresses from the public highway side. The wall is not specified in the listing but is attached to the main listed building.

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.

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.

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 CP16 (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.

Assessment

A structural assessment of the wall was carried out as the wall appears to be leaning inwards towards the car park. The wall was found to be at risk of failure and therefore a safety risk. Rather than replace the wall, a solution is being proposed which reinforces the support of the wall from the car park side, via 4no. brick buttresses. These would be 450mm in height in matching brickwork. There are some existing timbers are ironwork which have historically been used to support the wall however, these are now being removed.

Overall, it is considered that the proposal is a sensitive solution which will retain the existing historic wall and result in negligible harm to both the heritage asset and the conservation area.

Conclusion

No objection subject to a condition requesting that brick and mortar samples / details be submitted and agreed prior to construction.

Further Comments:
Given that the description is so detailed and includes the mortar mix etc and that I can view the proposed brick type online, I am happy to accept these details in lieu of a condition.

Final Comments:
Yes they are acceptable and can be listed in a compliance condition.

Councillor Imogen Payter
No comments received

Councillor Phil Munday - St Faiths
No comments received

Councillor T Pike - St Faith's
No comments received

County Archaeologist
Original Comments:
The site lies within the historic core of Havant and within an area of high archaeological importance. This area of Havant has been settled since at least the Roman period, with the projected course of Roman roads passing 45m to the west of the site and 100m to the south. The site has a high potential for archaeological remains related to the Roman, Saxon and medieval development of the town.

The drawings submitted with the application indicate that the new concrete pad foundation will extend to 1m below ground level, extending beyond the depth of the existing foundation. The excavations required for these foundations are likely to be sufficient to impact previously unrecorded archaeological remains, if present. These remains could include important archaeological deposition sequences, which could provide information regarding the historic development of the town, which is currently not well understood.

On this basis, I would recommend that a suitably worded archaeological condition should be added to any planning permission granted. This condition should secure the implementation of programme of archaeological monitoring (watching brief) on the excavation of foundations, in accordance with a submitted and approved written scheme of investigation.

Further Comments:
Given the nature of the development and the argument put forward by the applicant's agent, I would be happy to suggest an alternative condition (although, I would defer to you on the exact wording).

In essence, I would be looking for an access condition. This would give advance notice of the start of the works, so that I can attend the site to inspect the open groundworks. This should ensure that a record can be made of any archaeological remains but should be less burdensome for the applicant.

Final Comments (in response to draft condition):
Yes, that wording seems fine to me. I am happy for it to be included.

Southern Water

Southern Water has no objection to the above proposal.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at:
SouthernWaterPlanning@southernwater.co.uk

Portsmouth Water Company
Portsmouth Water have reviewed the application and associated documents for APP/23/00006 and have no concerns regarding impacts to groundwater quality. Therefore, we do not recommend any planning conditions to be included on the planning permission

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: 13

Number of site notices: 1

Statutory advertisement: 20/01/2023

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 the character and appearance of the St Faiths Conservation Area
(iv) Impact on residential amenity.

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. This proposal is for Planning Permission and the site is located within the St Faiths Conservation Area. The proposals must therefore be assessed against the relevant parts of the Planning (Listed Buildings and Conservation Areas) Act 1990 and this assessment is made below (and in the Conservation Officers consultation response).

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

Section 66 of the Planning (Listed Buildings and Conservation Area) 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 any special architectural or historic interest.

This proposal has been considered in detail by the Councils Conservation Officer and the County Archaeologist. The existing wall is sited east of St. Faiths Church House which is Grade 11 Listed Building. The existing wall is over 2m high and is leaning, it is intended to provide a new concrete pad foundation and provide 4 new brick buttresses, existing iron ties are to be removed. Due to the location of the buttresses it is considered that the works would not impact on the character of the area and would be appropriate in their design and would help to support the wall. Given the variety of frontage boundary treatments in the area the proposed replacement and design is considered appropriate to the context of the street scene. It is therefore considered that the proposed development would preserve the character and setting of the listed building.

(iii) Impact upon the character and appearance of the St Faiths Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act") requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In this case the buttresses are considered acceptable and the character and appearance of the St Faiths Conservation Area would therefore be preserved. However, in light of the comments received from the The County Archaeologist it is recommended that a condition be placed on any grant of consent to ensure that potential archaeology is taken into account by a watching brief.

(iii) Impact upon residential amenity

The proposed works are minor in nature and are not considered to impact the residential amenity of the closest residential properties.

8 Conclusion

In conclusion, the proposed development is considered to preserve the character and setting of the Listed Building and Conservation Area, and would not harm residential amenity, as such Planning Permission can be recommended subject to the following conditions.

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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/23/00006 subject to the following conditions

1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning 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:

Location and block plan CHP/01
Proposed elevations and sections CHP/02
Design, Access & Heritage Statement Carden & Godfrey Architects
Specification for Bricks & Mortar for New Brick Piers Carden & Godfrey Architects dated 28th April 2023

Reason: - To ensure provision of a satisfactory development.

3 The buttresses/brick piers hereby permitted shall be constructed with bricks and mortar fully as set out in the Specification for Bricks & Mortar for New Brick Piers in the letter from Carden & Godfrey Architects dated 28th April 2023.
Reason: To ensure that the proposed works are compatible with the listed wall and the character and appearance of the Conservation Area 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.