
Site Address:	Emsworth Dental Surgery, 30 High Street, Emsworth, PO10 7AW		
Proposal:	Listed Building Consent for new internal staircase and internal alterations.		
Application Type:	Listed Building Consent		
Application No:	APP/22/01230	Expiry Date:	15/02/2023
Applicant:	Mr Gabriel		
Agent:	Miss Knight	Case Officer:	Graham Speller
	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 and is a three storey Grade II listed building. The building was formerly used as Lloyds Bank with residential flats (two) on first and second floors. It is now occupied by Emsworth Dental Surgery on the ground floor with residential flats above.
- 1.2 The site is within the Emsworth Conservation Area in a Town Centre location.

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/14/00827 - Discharge of Condition No's 1, 2, and 3 of Planning Permission APP/11/01282., UNK,

APP/14/00829 - Discharge of Condition No. 1 of Planning Permission APP/13/00926., UNK,

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., Under Consideration.

3 Proposal

3.1 Listed Building Consent for new internal staircase and internal alterations.

4 Policy Considerations

National Planning Policy Framework 2021

Havant Borough Council Borough Design Guide SPD December 2011

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 2019 - 2036

ENP_H1 (Design & Heritage)

Listed Building Grade: Grade II

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

Recommendation – No objection. (note: comments received in connection with application APP/22/01229)

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.

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 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 a relevant policy which is applicable to this application:

Policy H1 – Design and Heritage

Assessment

In order to increase the capacity of the dental surgery, the proposal is to expand into the existing first floor residential flat, through its conversion. The second floor flat

would remain in situ. The main internal change would be the erection of a new internal staircase from the ground floor reception area. The existing staircase to the first floor, which is accessed via a separate door on the High Street, cannot not be used due to building regulations.

The new staircase will be located in a space currently used as a cupboard at ground floor and a small ensuite bathroom at first floor and part of the bedroom. It has been located in this position to have the minimal impact on the structural integrity of the building. At ground floor, minimal historic fabric is evident and therefore the loss of the cupboard space would not be harmful to the building. The first floor ensuite is not considered to be an original space, as the walls to this small room are not structural. The staircase would involve the loss of part of the flooring in the FF bedroom however, it would not require any structural changes. A small number of new stud walls are proposed but these are not considered to be harmful as the original walls will be retained.

Overall whilst a very small amount of historic fabric will be lost, this would not alter the historic and architectural significance of the heritage asset or 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

Councillor Julie Thain-Smith

No comments received.

Councillor Lulu Bowerman

No comments received.

Councillor R Kennett

No comments received.

Developer Services, Southern Water

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain 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: 15

Number of site notices: At least one site notice exists

Statutory advertisement: 06/01/2023

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) Effect on Listed Building

(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 management criteria. Since the site affects a Listed Building, Section 16 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) Effect on Listed Building

7.3 The impact of the proposal, on the character and appearance of the Listed Building has been carefully assessed by the Council's Conservation Officer who has no objection to these works.

7.4 The proposal is therefore considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the Havant Borough (Core strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) and Policy H1 of the Emsworth Neighbourhood Plan 2019 – 2036 and Section 16 of the Planning and Listed Buildings and Conservation Areas) Act 1990.

8 Conclusion

8.1 The proposed development would preserve the character of the listed building. It is therefore considered to be acceptable and is recommended for listed building consent.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT LISTED BUILDING CONSENT** for application APP/22/01230 subject to the following conditions:

- 1 The works to which this Listed Building Consent relate must be begun within a period of 3 years beginning with the date on which this consent is granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.