

GENESIS

TOWN PLANNING

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Our ref: CC/23012
Your ref: APP/22/01136

17th February 2023

Dear Ms Wells

Application Ref: APP/22/01136

Alterations, extensions and change of use to the Single storey offices from B1a to residential. Alterations to APP/21/01120 at Fiscal House to allow for pedestrian access and the reallocation of parking. Erection of 1no. dwelling to the rear.

This planning statement is provided in support of my client's application at Fiscal House, 2 Havant Road, Emsworth, PO10 7JE for the alterations, extensions and change of use to the Single storey offices from B1a to residential. Alterations to APP/21/01120 at Fiscal House to allow for pedestrian access and the reallocation of parking. Erection of 1no. dwelling to the rear.

Site Description

The application site relates to Fiscal House and the associated hardstanding car park and single storey office building which is located just inside the boundary of the Emsworth Conservation Area and is situated opposite a Grade II listed building at No. 4 Havant Road. The most original part of the building on the site was a C19 former Public House (Fiscal House). It is a two-storey building which was in use as offices and is also positioned on the corner of Warblington Road and Bath Road.

The land extends away from the Havant Road to the rear and the entrance to the site is situated on Warblington Road. The single storey office building is of no architectural merit and forms the boundary between the site to the east and Warblington Road.

The majority of the site is laid to hardstanding and slopes up to the rear.

Planning History

The site has an extensive planning history having been used as a public house, dairy, taxi office, financial services and offices.

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The most recent and relevant planning history is in connection with the main two-storey building (Fiscal House) where planning permission has been granted for its change of use from B1a to residential including part demolition and extension of the existing building, formation of a new residential garden, reallocation of parking (APP/21/01120).

This application follows on from the recent permission to encompass the whole site including the single storey office building and land to the south of the site.

Planning Policies

National Planning Policy Framework (NPPF) – July 2021

The NPPF sets out the Government's current planning policies for England. Paragraph 7 sets out the purpose of the planning system as being the contribution to achieving sustainable development. The objective of sustainable development is to meet the needs of the present, without compromising the ability of future generations to meet their needs. In achieving sustainable development, there are three, interdependent objectives: economic; social; and environmental. Whilst these objectives should be used to guide development towards sustainable solutions, local circumstances should be considered to reflect the character, need and opportunities of each area.

At the heart of the NPPF is the presumption in favour of sustainable development, where Paragraph 11 advises that in reaching decisions, a presumption in favour of sustainable development should apply. For decision-taking, this means that development proposals should be approved without delay, if they are in accordance with an up to-date development plan. Where there are no relevant development plan policies, or they are out of date, permission should be granted unless:

- 1) The application of policies in the NPPF that protect areas or assets of importance provide clear reason for refusing development.
- 2) The adverse impacts of granting permission would significantly or demonstrably outweigh the benefits when assessed against the NPPF as a whole.

Section 4 of the NPPF advises authorities to approach decisions on applications, in a positive and creative way and that applications for sustainable development should be approved where possible. This section also highlights the importance of early engagement, suggesting that it has the potential to improve the efficiency of the planning process for both applicant and Council and result in a better outcome for the community (Paragraph 39).

Havant Borough Core Strategy (2011)

The Havant Borough Core Strategy was adopted in 2011 and is the current plan for the Borough. The Core Strategy (2011) establishes the framework of detailed policies and proposals for the control, development and use of land, with which planning decisions will be assessed in Havant Borough.

The policies relevant to the determination of the application are summarised in the table below.

CS9 Housing

Planning permission will be granted for proposals where, amongst other criteria, they:

- Contribute to achieving 6,300 new dwellings over the Plan Period.
- Achieve a suitable density, which respects the surrounding landscape, character and built form.
- Provide a mix of dwelling types, sizes and tenures, which meet the local need.

CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough

Permission will be granted where proposals, amongst other criteria:

- The landscape is protected and enhanced.
- Protects and enhances wildlife habitats and wildlife corridors.

CS15 Flood and Coastal Erosion Risk

All development is required to ensure that there is no net increase in surface water runoff and priority should be given to incorporating SuDS. Where SuDS are incorporated, a plan for their ongoing management and maintenance must be provided.

CS16 High Quality Design

Development designed to a high standard will be permitted. Proposals must respond to the local context, integrating with the local landscape and promoting wildlife and biodiversity. The characteristics of the locality should assist in informing the design, including building heights, massing, building lines, plot widths and depths and materials. Development should not cause unacceptable harm to the amenity of the neighbouring properties. The layout of the proposal must produce a positive relationship between buildings, as well as reduce opportunities for crime and the domination of vehicular traffic.

CS17 Concentration and Distribution of Development within the Urban Areas

Development will be permitted where it makes best use of land, particularly by concentrating new housing within the five urban areas of the borough, including Emsworth. Redundant and underused land should be a priority for development.

CS20 Transport and Access Strategy

Proposals should not increase congestion and should promote the use of existing transport networks and provide transport management measures to ensure the safe and efficient operation of the local road network.

CS21 Developer Requirements

Planning permission will be granted where all on and offsite infrastructure requirements are met. Where new or improved infrastructure is essential, the Council will require provision onsite or financial contribution through planning obligations, agreements or tariffs in accordance with the relevant legislation for offsite provision. The need for contributions is dependent on information from infrastructure providers setting out the anticipated impact from development.

CS19 Effective Provision of Infrastructure

Development will be permitted where it makes the most effective use of existing infrastructure opportunities.

CS2 Employment

Existing employment sites will be safeguarded unless not fit for purpose.

DM10 Pollution

Development that may cause pollution will only be permitted where relevant health and safety and environmental quality criteria can be met.

DM8 Conservation, Protection and Enhancement of Existing Natural Features

Development will be permitted where it protects and enhances local habitats and landscape distinctiveness, as well as addresses, amongst other criteria:

- Protects features of nature conservation such as, trees and hedgerows.
- Incorporates existing features into the overall design and ensuring their continued survival. Provides new landscape works that integrate with the local environment, using local materials and plant species and making provision for the future maintenance of new landscape works associated with the development.

DM13 Car and Cycle Parking on Residential Development

Residential development will only be permitted where car parking and cycle storage is in accordance with the Residential Car Parking and Cycle Provision Supplementary Planning Document (SPD). The SPD (2016, partially updated 2019) sets out a requirement for:

- 1 Bed unit – Minimum 1 space
- 2 Bed unit – Minimum 2 spaces
- 3 Bed unit – Minimum 2 spaces
- 4+ Bed unit – Minimum 3 spaces

DM12 Mitigating the Impacts of Travel

New development will be required to mitigate their travel impact including the environmental impacts of travel and impacts on amenity, health and climate change.

DM3 Protection of existing employment and tourism sites

The change of use or development of land currently or last used for B use class employment purposes to non-B use class employment will be permitted where it has been demonstrated that the land or premises are not fit for purpose.

The Havant Borough Local Plan (Allocations) was adopted in 2014:

DM17 (Contaminated Land)

Development will be permitted on or near contaminated land where an appropriate risk investigation has been carried out and mitigation sought.

DM20 (Historic Assets)

Planning permission will be granted for development that conserves and enhances the historic assets of Havant Borough.

DM25 (Managing Flood Risk in Emsworth)

Planning permission will be granted for developments within the Emsworth Urban Area Boundary that can demonstrate how post development runoff has been reduced.

AL1 (Presumption in Favour of Sustainable Development)

The Council will take a positive approach to development proposals that reflect the presumption in favour of sustainable development contained in the NPPF

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

The policy defines the urban areas where development will be permitted.

The Emsworth Neighbourhood Plan was made in September 2021;

Policy M1 Cycle Storage Provision

All new residential development should make provision for secure cycle storage as follows:

- 1- and 2-bedroom dwellings – 1 space
- 3- and 4-bedroom dwellings – 2 spaces

Policy D1 General Design Policy

All new residential developments should include high quality design and landscape treatments. Proposals should demonstrate proper context analysis and compliance with design policies through the submitted Design and Access Statement (inc. reference to the Design Checklist).

Policy D2 Height, Mass and Materials

The height and massing of buildings should reflect the local character and provide a palette of material that corresponds with the local area.

Policy D3 Layout, Density and Form

Development proposals should reflect the character and grain of historic parts of the Plan area. Proposals that do not optimise the density of sites will not be supported.

Policy D4 Design of Public Spaces and External Areas

Landscape treatments and public realm should be designed to a high standard.

Policy D5 Integration & Strong Connections

All new development to relate to its context with convenient connections to facilities in adjacent areas. Create welcoming and inclusive communities.

Policy D6 Resource Efficiency

Promote sustainability and reduce carbon footprint through good design and technologies.

Policy D7 Mitigate Light Pollution

Minimise light pollution, particularly on the waterfront and edge of settlement locations.

Policy H1 Design and Heritage

Any new development or alteration to an existing structure that affects or has the potential to affect a heritage asset (whether designated or undesignated) will be required in its design, scale and materials to conserve or enhance the significance of the heritage asset, the wider historic character of Emsworth, and to have regard to the design guidance within this neighbourhood plan.

Supplementary Planning Documents and Guidance

In addition to the policy context set out in the section above, the Council has prepared a series of SPDs, those of relevance include:

Borough Design Guide SPD (2011)

Housing SPD (2011)

Car Parking and Cycle Provision SPD (2016, updated 2019)

Developer Contributions Guide (2020)

Chichester Harbour AONB joint SPD 2017

Principle of Development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development management criteria and is therefore in compliance with policies CS15 and CS16 of the Havant Borough Local Plan Core Strategy 2011.

Loss of Employment

Planning permission has previously been granted for the conversion of the existing two-storey building on the site frontage from offices to residential use (APP/21/01120). This application was accompanied by a marketing report which demonstrated that the site as a whole (including the single storey office buildings) was no longer viable for employment purposes. A 12-month marketing exercise was carried out and no offers for using the site as an office (or for alternative economic purposes) were made. Therefore, it was considered that the applicant had demonstrated that the site cannot be used as an office space and has therefore complied with the marketing requirements of policies CS2 and DM3.

Impact on Neighbouring Properties

The location of the single storey office building and the proposed new build dwelling is such that there is no close relationship with existing residential properties and privacy.

The neighbouring property to the west side of Warblington Road (a dentist) has no windows fronting onto the application site and is separated by Warblington Road. A church and associated parking are directly to the east of the site with a BT building to the south west and rear gardens of residential properties to the south. The surrounding property uses are mixed and residential use of the site would have a comfortable and acceptable impact on the surrounding uses. No loss of light or outlook is considered to occur to any of the neighbouring properties from the proposed development.

In terms of garden amenity area to serve future occupiers, the proposed amenity space is considered sufficient to serve the proposed dwellings.

The impact on neighbouring properties from the conversion of the existing 2 storey building into residential was considered acceptable under application ref: APP/21/01120.

Design

The proposed alterations and extensions to the first floor office building to add bedrooms offers an opportunity to introduce a contemporary element in terms of form and materials to the site through the proposed asymmetrical roof clad in zinc on the office building and the addition of cedar cladding to the first floor with aluminium windows.

The proposed new dwelling will also be constructed from matching contemporary materials to the office conversion and has a contemporary design approach. The use of such high quality materials and the contemporary design is appropriate to the context of the site and as such the proposals comply with Policy CS16.

Flood Risk

The application is accompanied by a Flood Risk Assessment, the results of which are summarised below.

The existing single storey office building falls within Flood Zone 2 and the proposed new dwelling falls within Flood Zone 1 where a flood risk assessment is not required. The Environment Agency guidance on the Sequential Test, Flood Risk and Coastal Change guidance, and Footnote 56 of the National Planning Policy Framework note that a Sequential Test is not required for minor development (conversion of the office building to residential).

The Flood Map for planning and assessment of flood risk against site levels demonstrate that the development area is within Flood Zones 1 (new house) and 2 (office conversion). Residential development within Flood Zone 1 is considered acceptable, and an Exception Test is not required.

The details below are considered however, in line with the wording of the Exception Test, to ensure the proposed development has considered management and mitigation of flood risk for the lifetime of the development, due to increased risk as a result of climate change.

The Exception Test demonstrates how flood risk is managed on a proposed site. The Exception Test should include a demonstration that the development will be safe for its lifetime taking into account the vulnerability of its users and that it won't increase flood risk elsewhere (assessment and mitigation within the flood risk assessment).

In order to demonstrate the requirements are met with reference to Paragraphs 102 & 103 of NPPG Flood Risk and Coastal Change we summarise as follows:

- **A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.**

The Flood Risk Assessment demonstrates that the proposed development will reduce the site's impermeable area and will reduce the rate of run off generated by the site from 9.1l/s peak annual average runoff to 2.0l/s up to a design storm event (1 in 100-year, 45% climate change). This ensures that the development has a beneficial impact on surface water flood risk to and from the proposals.

The proposed conversion of the existing single storey office building will not increase the building footprint, with the extension only to upper floors to provide bedrooms. The proposed new residential building will have an open parking area at ground floor that is built to a sufficiently flood resilient standard for times of climate change induced flooding, with residential development on upper floors. The proposals would therefore not impact on fluvial or tidal flood risk to or from the development.

Flood Mitigation measures will be proposed to ensure that the proposed development is safe for its lifetime for the proposed residential occupants. This includes flood resilient construction techniques, flood protection measures, vulnerable uses (bedrooms) proposed solely on upper floors, and a flood evacuation plan. Paragraph 103 of the NPPG states 'When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location.

The proposals are sequentially located to the lowest area of flood risk at the site, with access and egress at the highest point of the site with access to higher ground. In addition, the proposals have been sequentially designed to ensure all bedrooms are included at higher levels at the existing building, and that the proposed new building has only open parking at the ground floor, and more vulnerable site use is elevated solely at higher levels.

- Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

Flood Mitigation measures are proposed that ensure the development is appropriately flood resilient. In addition, safe access and egress routes will be provided where necessary so that any residual risk to future residents can be safely managed. A Flood Evacuation Plan (FEP) template is provided in Appendix G of the Flood Risk Assessment.

As the development is partially within Flood Zone 2, it is therefore recommended that the occupants of the development are subscribed to the Environment Agency's flood warning scheme and there is provision of a Flood Evacuation Plan to determine what actions occupants should take leading up to and during a nearby flood event. The Flood Plan would consider further the specific requirements with regard to access and egress. The development has considered use of sustainable drainage systems, to further reduce runoff from the existing Brownfield site. The proposals will also reduce site runoff by proposing new areas of soft landscaping.

Highways and Parking

A parking plan has been submitted with the application demonstrating that there would be adequate parking provision within the site in accordance with the Council's SPD.

It is noted that the Highway Authority did not raise any objection to the proposals for the conversion of 2 Havant Road (Fiscal House) into a 3-bedroom dwelling on highway safety/capacity grounds.

Heritage Assessment

The application contains a building known as Fiscal House at 2 Havant Road in Emsworth. The most original part of the building on the site was a C19th Public House. It is a two-storey building which is currently in use as an office and is also positioned on the corner of Warblington Road and Bath Road. It lies just inside the boundary of the Emsworth Conservation Area and is located opposite a Grade II listed building at No. 4 Havant Road.

When assessing the proposal, the following legislation and policy context is taken in consideration. 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.

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 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:

184. 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.

189. 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.

190. 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.

191. 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.

192. 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.

Considering potential impacts:

193. 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.

194. 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.

With regards to local planning policy, policies CS11, CP16 and DM20 are relevant. The relevant Emsworth Neighbourhood Plan policies are H1 and H2.

Number 2 Havant Road acts a gateway building into the Conservation Area. The existing wall which runs parallel with Warblington Road will remain to form the boundary of the newly created property. This part of the building is closest to the adjacent listed building at No. 4 Havant Road but due to the separation distance the impact on the adjacent listed building is considered to be negligible. The proposal in this regard also meets the test of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Overall it is considered that the proposal will serve to preserve and enhance the character of the conservation area and therefore meets the test of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

For the reasons as set out above, permission should be granted for the proposed residential redevelopment of this unviable employment site.

The proposed development is considered to have a positive impact on the built environment enhancing the conservation area and will have no significant impact on neighbouring residential or other amenity. The proposed development complies with the relevant design guidance, has no impact on highway safety, will not have any significant impact on flood risk and be acceptable in all other respects.

Should you require any further information, please do not hesitate to contact me.

Yours sincerely
for Genesis Town Planning Ltd

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