

Recommendation: **GRANT PERMISSION**

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)
CS2 (Employment)
CS4 (
DM14 (Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

DM20 (Historic Assets)
AL1 (Presumption in Favour of Sustainable Development)
AL3 (Town, District and Local Centres)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Havant Borough Pre Submission Local Plan 2036

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_W1 (Employment Premises & Design Quality)

Listed Building Grade: Grade 2

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy - No Objection

Suggested conditions –

- schedule/samples of materials to be agreed prior to construction / as indicated on application forms / to match the existing on site.

Conservation Officer

The building is located on the corner of High Street and Tower Street. It is located within the Emsworth Conservation Area and is a Grade II listed building. The ground floor is currently an office and is accessed from the front entrance on the High Street. The two upper floors form a maisonette and are accessed from a door on Tower Street.

The property has changed use over time and within the past 20yrs has been converted back to a house and then back again to part commercial / residential.

The proposal is to change the upper floors from residential to office space in conjunction with the use on the ground floor. The following alterations are proposed:

GF – creation of new door into the reception area

FF – removal of partition wall between living room and dining room

SF – removal of partition wall between bedroom and bathroom

In addition to this, 2no landing windows are proposed to be replaced. One is crittal and the other is a non-original rotten timber window.

NB – A Heritage Statement has been submitted with the application.

Legislative and Policy Context

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 revised National Planning Policy Framework (NPPF) was published in February 2019 and sets down the policies that the Council must take into account when determining planning applications. The 'Historic Environment Good Practice Advice in Planning Note 2', states at paragraph 4:

'The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest' and provides at paragraphs 8, 9 and 10 that in order for the Local Planning Authority to make decisions in line with legal requirements, the objectives of the development plan; and, the policy requirements of the NPPF, great importance is placed on understanding the nature, extent and level of the significance of the heritage asset.

The revised NPPF (February 2019) 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.

Policy CS11 of the Core Strategy 2011 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 2011 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 2014 states that development proposals must conserve and enhance the historic assets of Havant'.

Assessment

The removal of the partition wall on the first floor has already been granted permission in a previous permission (2006) and therefore accepted in principle. The second floor is proposing to remove the same partition to open out the second-floor space. Similar to the first floor, no objection is raised to its removal.

I request that the existing wooden beam at first floor and the chimney breast at second floor are to remain.

The other alterations including the new door into the reception area and the door into the kitchen are considered to be acceptable.

The proposed replacement windows on the landing are also acceptable subject to further details being provided (planning condition).

It is my consideration that the proposed works would not cause any harm to the designated heritage asset. As such, I have no objections subject to the following conditions:

1. No work shall commence until any new external window and door details have been provided. Such information to comprise: - 1:20 plan, section and elevations shown in context with the opening within it is set. Details of finishes and the method of opening to be provided. The details shall be submitted to

and approved in writing by the local planning authority and thereafter carried out in full accordance with such approval and be retained thereafter

Reason: In order to safeguard the building's special architectural and historic interest.

NB – the 2no. replacement windows need to be added to the description _

Officer's comment: the applicant's agent has agreed the inclusion of the 2 replacement windows in the description and an amended plan has been submitted showing the retention of the existing wooden beam at first floor and the chimney breast at second floor.

Councillor Julie Thain-Smith

No comments received.

Councillor Lulu Bowerman

No comments received.

Councillor R Kennett

No comments received

Historic England

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.

Natural England Government Team - No Objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

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: 11

Number of site notices: Not applicable.

Statutory advertisement: 03/07/2020

Number of representations received: 0

Comment	Officer Comment
None.	

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 area, the AONB, Listed Building and Emsworth Conservation Area
- (iii) Impact upon residential amenity
- (iv) Parking

(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. The proposal would result in the loss of a single 1 bed flat, whilst at the same time, expanding an existing business office use. When balancing the proposal against the loss of a single dwelling within the area, such a loss would not be significant enough to impact the current housing requirement of the district, to warrant a refusal of planning permission.

(ii) Impact upon the character and appearance of the area, the AONB, Listed Building and Emsworth Conservation Area

The Council's Conservation Officer (CO) has provided comments and is of the opinion that the proposed works to be undertaken, part of which has been granted consent before, would not cause any harm to the designated heritage asset. As such the proposal would preserve the listed building and the appearance of the Conservation Area. A heritage statement and plans have been submitted as part of the application which covers the requirements of policy DM20 of the HBLP (Allocations).

Consequently, it is considered that the proposal would preserve the listed building and the Conservation Area, meeting the requirements of Policies C11, CS16 of the HBLP (Core Strategy) and DM20 of the HBLP (Allocations) and the statutory duty set out in Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is noted no letters of objection were received with respect to the scheme.

The CO has recommended a pre-commencement condition that the applicant's agent has agreed to.

The proposals are not considered harmful to the character and appearance of the AONB.

(iii) Impact upon residential amenity

The proposal involves the change of use of a flat, at first and second floor, to a solicitor's office, to expand this use from the ground floor. This office use should not give rise to an unacceptable level of noise and disturbance that would adversely impact on residential amenity.

Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear,

meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) Parking

The agent has advised that there are 2 parking spaces to the rear of the site, which is currently in business and residential use. The site is in a highly sustainable location, based in the centre of Emsworth, with South Street public car park to the south west. Alternate, forms of transport to the motor vehicle are available in Emsworth which are bus services and Emsworth railway station. Due to the sustainable location, the on-site parking is considered to be sufficient, with other parking provision appropriately located in relation to the development and practical for its intended use, in accordance with Policy DM14 of the HBLP (Core Strategy).

8 Conclusion

The proposed change of use would not adversely impact on residential amenity with adequate parking provision. The works to the listed building are in keeping with its character and appearance and would preserve the Emsworth Conservation Area and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00483 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:
Site location, block, floor (existing and proposed) and elevation plan - Drawing No. 20061-01B
Heritage Statement June 2020
Design and Access Statement June 2020
Reason: - To ensure provision of a satisfactory development.
- 3 No work shall commence until any new external window and door details have been provided. Such information to comprise: - 1:20 plan, section and elevations shown in context with the opening within it is set. Details of finishes and the method of opening to be provided. The details shall be submitted to and approved in writing by the local planning authority and thereafter carried out in full accordance with such approval and be retained thereafter.
Reason: In order to safeguard the building's special architectural and historic interest having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy CS11, Havant Borough Local Plan (Allocations) 2014 policy DM20 and the National Planning Policy Framework.

- 4 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020, and any Town and Country Planning (General Permitted Development) Order, the premises shall only be used for financial and professional services: and for no other purposes within Class E of the above Use Classes Order.

Reason: In the interests of amenity and having due regard to Policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.