

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)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS4	()
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL3	(Town, District and Local Centres)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Grade 2
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Conservation Officer

Background

10 Queen Street is a Grade II listed building (C18) in residential use. It is located on Queen Street in Emsworth Town Centre and within the Emsworth Conservation Area. Its immediate attached neighbour at No.12 is of a similar design and also listed. No. 8 is not listed.

It is a 3-storey, semi-detached property with a front façade with a painted render finish. There is an existing single storey extension at the rear which is not original. The rear garden is enclosed by brick boundary walls and steps up in level towards the rear of the site.

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.

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, 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 development proposals must conserve and enhance the historic assets of Havant.

Proposal:

Planning permission and listed building consent is being applied for a replacement single storey rear extension, revised garden terrace and increase in height to south-western and north-western garden walls.

Like the existing, the proposed replacement single storey extension would also feature a flat roof design but incorporate a glazed roof light. There would be an increase of 2.2m in depth with the replacement extension.

On the south west boundary with No. 8, the existing parapet wall will be raised with facing brick work to match the opposite side boundary. The existing garden wall will be raised in height by 350mm and have a painted render finish to the new and existing. On the north east facing boundary, the existing parapet wall will be retained. The

extension will feature brick work to match the existing parapet walls and include aluminium bifold doors across the rear into the garden.

The existing garden terrace would be levelled off in parts to form a more useable terrace area in the upper section.

Assessment of proposal

The loss of the existing extension is not considered to harm the significance of the building as it was not an original. The existing structure is also harmful to a degree with the inclusion of UPVc windows. The replacement would be an improvement using appropriate materials and aluminium slim frame windows and roof lantern. The works to the garden would improve the usability of the garden area without resulting in harm to the listed building, or its neighbour at No. 12 which is also listed.

Conclusion

Overall, the proposals are considered to have a negligible impact on the significance of the historic assets (in this case the listed building and conservation area) and are in accordance with national and local planning policy relating to heritage assets. I am therefore supportive of the applications subject to the following conditions:

1. No work shall commence until new external 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.

2. Material samples relating to the hereby approved extension and parapet/boundary walls to be provided and agreed in writing by the local planning authority.

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

Officer comment: Conservation Officer has confirmed both of the above conditions should be pre-commencement conditions, which has been agreed to by the applicant's agent.

Councillor Julie Thain-Smith

No comment.

Councillor Lulu Bowerman

No comment.

Councillor R Kennett

No comment.

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: 10

Number of site notices: one

Statutory advertisement: 01/05/2020

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 Listed Building, Conservation Area

(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. Since the site lies within a Conservation Area and affects a Listed Building, Section 66 and 72 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, as well as the desirability of preserving or enhancing the character or appearance of a conservation area.

Third party representations indicate a neighbour dispute over the west shared boundary wall which would be increased in height. This is disputed by the applicant, with a Certificate A being submitted. Having regard to the information submitted in respect of this matter by both parties, a third party interest has not been demonstrated in respect of the west boundary wall, on the balance of probability.

(ii) Impact upon Listed Building, Conservation Area

The impact of the proposal to the rear on the character and appearance of the Listed Building and the Conservation Area have been carefully assessed by the Council's Conservation Officer (CO), who is of the opinion the replacement extension would be

an improvement over the existing one, using appropriate materials and aluminium slim frame windows and roof lantern. The CO is also of the opinion that the works to the garden would improve the usability of the garden area without resulting in harm to the listed building, or its neighbour at No. 12 which is also listed. As such it would have a positive impact on the Listed Building and the Conservation Area. A heritage statement, including a mitigation strategy 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 have a positive impact on 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 in respect of the Listed Building application.

The pre-commencement conditions relating to the approval of the external door details and materials have been recommended, which the applicant's agent has agreed to.

8 Conclusion

The proposed extension to the listed building and garden works are in keeping with its character and appearance and would have a positive impact on 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 LISTED BUILDING CONSENT** for application APP/20/00312 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.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design & Access Statement
Heritage Statement, including a Mitigation Strategy.
Location & Block Plan - PO_3
Proposed Ground & First/Single Storey Roof - Drawing No. P_01
Proposed Elevations & Boundary Wall details - Drawing No. P_02

Reason: - To ensure provision of a satisfactory development.
- 3 No work shall commence until new external 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 and in accordance with Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No works shall commence until material samples relating to the hereby approved extension and parapet/boundary walls have been 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 and in accordance with Policies CS16 and CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.