
Site Address:	Lord Raglan Public House, 35 Queen Street, Emsworth, PO10 7BJ		
Proposal:	Construction of 215mm (depth) brick wall against the existing west elevation of the Lord Raglan Public House.		
Application No:	APP/19/00899	Expiry Date:	11/11/2019
Applicant:	Mr Samuels Dolphin Quay LLP		
Agent:	Mr R Nunn PDP Architecture llp	Case Officer:	Steve Weaver
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The Lord Raglan is a 2-storey public house dating back to the early C19th. It is located on the south side of Queen Street, on the edge of the identified Emsworth District Centre. The site also lies within the Emsworth Conservation Area and Chichester Harbour Area of Outstanding Natural Beauty - the beer garden of the public house backs onto the harbour itself, which at this point comprises the Emsworth Mill Pond.
- 1.2 The Lord Raglan is of a distinctive design, with attractive facings of flint and brick with a clay tile roof. To the east the site lies adjacent to Chequers Quay, a mews-style residential development. Until earlier this year a shop unit was attached to the west elevation - however this has now been demolished in connection with works being undertaken to implement Planning Permission APP/16/00921 at Dolphin Quay leaving the attached wall (the subject of this application) exposed. The quality of the exposed wall does not match that of the main building; the applicants advising that this section of wall appears to have been constructed 'overhand'.

2 Relevant Planning History

Lord Raglan Public House:

93/51226/002 - Retrospective Listed Building application for removal of 3 internal partitions to Public and Saloon Bars, PERM,10/03/1994
06/51226/005 - Erection of small restriction sign on north elevation., PERM,27/10/2006
07/51226/006 - Erection of new parasol to existing rear paved area., PERM,27/03/2007
07/51226/007 - Listed Building Consent for the erection of new parasol to existing rear paved area., PERM,27/03/2007
09/51226/008 - Display of 6No. floodlights, stone panel with cartouche, stone panel with letters, brass panel, wall mounted pictorial sign, plaque, window vinyls, lantern and cartouche., PERM,28/08/2009
09/51226/009 - Listed Building Consent for display of 6No. floodlights, stone panel with cartouche, stone panel with letters, brass panel, wall mounted pictorial sign, plaque, window vinyls, lantern, cartouche, and repainting of building exterior., PERM,28/08/2009
09/51226/010 - Discharge of Condition No. 2 & 3 of Planning Permission
09/51226/009., PERM,01/12/2009

APP/10/00445 - Removal of residual chimney stack at ground floor level, together with a small section of wall. , PERM,12/10/2010

APP/19/00900 - Listed Building application for construction of 215mm (depth) brick wall against the existing west elevation of the Lord Raglan Public House.

This is the partner Listed Building application to this planning application, which is being considered concurrently with this case.

Dolphin Quay site:

APP/16/00921 - Demolition of the single storey shop, two-storey office building and associated outbuildings. Erection of 4No. houses (3x 3No. bedrooms and 1x 2No. bedrooms) fronting onto Queen Street and associated parking and erection of 2No. detached dwellings (4No. bedrooms) fronting onto to the Mill Pond with associated parking and access from Queen Street. Permitted 13/12/2018 and currently under construction.

3 Proposal

- 3.1 The application proposes the construction of a 215mm (depth) brick wall against the existing west elevation of the Lord Raglan Public House. The proposal is to overclad the section of wall exposed by demolition works at the Dolphin Quay site with a reclaimed brick (a sample and the image of the brick is included in the application submission). The overall length of overcladding is approximately 8m. The wall is to be constructed with a parapet, disguising a lead lined gutter behind - this is in order to ensure that there is no overhang of the adjacent pathway (part of the Dolphin Quay redevelopment) which leads from Queen Street down to a private jetty.

4 Policy Considerations

National Planning Policy Framework

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) |
| CS12 | (Chichester Harbour Area of Outstanding Natural Beauty (AONB)) |
| CS16 | (High Quality Design) |

Havant Borough Local Plan (Allocations) July 2014

- | | |
|------|-------------------|
| DM20 | (Historic Assets) |
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Listed Building Grade: Grade 2

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

No objection

Suggested considerations –

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

Given its setting and the existing situation of the property within the street scene, the proposal is unlikely to have any significant impact or effect on the AONB in terms of character or in relation to wildlife.

Conservation Officer

NB Comments drawn from APP/19/00900:

Assessment

The neighbouring site at Dolphin Quay has planning permission (APP/16/00921) for the redevelopment of the site. As part of this, the building which was attached to the west elevation of the Lord Raglan has been demolished. This has resulted in part of the ground floor west elevation being exposed. As this elevation would form the facing wall to the path leading to the jetties located at the rear of both sites, the proposal is to build a new wall, against the existing, in order to improve the design of this elevation. The proposal is to use a reclaimed red stock brick, indicated on Drwg No. 27958-PD160 (wall Layouts Plan). The new wall would include a lead coping dressed down to form a gutter, which would avoid an overhang onto the access pathway. The proposal for the new wall is not considered to result in harm to the designated heritage assets, that being the public house and the conservation area in this instance. The use of the reclaimed brick would tie in sympathetically with the palette of existing materials on the western elevation of the Lord Raglan building and that of new build to be constructed on the adjacent site. Overall it is considered that the proposal would accord with the relevant national and local planning policy with regards to designated heritage assets.

Further comments

Please can a condition specify 'mortar: NHL 3.5 (3:1)' - 3.5 being the strength and 3:1 being the ratio of lime to sand. Also can it specify the bond to be Garden Flemish Bond.

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: 5

Number of site notices: One

Statutory advertisement: 27/09/2019

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 Listed Building
- (iii) Impact upon the Conservation Area and AONB
- (iv) Impact upon adjoining uses

- (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.

7.3 Given the location of the site, and the fact that it affects a Listed Building, there are also statutory tests and national and local policies to be considered in assessing this proposal. 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.

7.4 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.

7.5 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.

7.6 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.

7.7 With regards to local planning policy, Policy CS11 of the Havant Borough 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 CS16 (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 2014 states that development proposals must conserve and enhance the historic assets of Havant.

(ii) Impact on the Listed Building

- 7.8 In terms of the impact of the proposal on the Grade 2 Listed Building, as discussed above the neighbouring site at Dolphin Quay has planning permission (APP/16/00921) for the redevelopment of the site. As part of this, the building which was previously attached to the west elevation of the Lord Raglan has been demolished. This has resulted in part of the ground floor west elevation being exposed. This elevation will form the facing wall to the path leading to the jetties located at the rear of both sites, and its current condition, both in material and execution, is not considered to be of the standard found on the main listed building.
- 7.9 In this context, the proposal is to use a reclaimed red stock brick, indicated on Drwg No. 27958-PD160 (Wall Layouts Plan), to overclad the recently exposed west elevation wall. The new wall would include a lead coping dressed down to form a gutter, which would avoid an overhang onto the access pathway. The use of the reclaimed brick would tie in sympathetically with the palette of existing materials on the western elevation of the Lord Raglan building and that of new build to be constructed on the adjacent site. Discussions with the applicant have also resulted in confirmation that the brick bond and mortar to be used in the execution of the new wall will be sympathetic to that of the main building, which will represent an enhancement over the appearance of the recently exposed wall.
- 7.10 It is therefore concluded that the proposal would preserve the architectural and historic interest of the listed building, thus meeting the statutory test set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and also accord with the NPPF and Policies CS11, CS16 and DM20 of the development plan.

(iii) Impact upon the Conservation Area and AONB

- 7.11 The application site is located within Emsworth Conservation Area, and also within the Chichester Harbour Area of Outstanding Natural Beauty. This confers the duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, set out above, and engages Policy CS12 as well as Policies CS11, CS16 and DM20 of the development plan. Policy CS12 requires new development to carefully address its impact on the AONB and its setting; and should conserve and enhance the special qualities of the AONB.
- 7.12 The wall the subject of this application will occupy a relatively discreet position in the street scene of Queen Street once the development at Dolphin Quay is complete, as this will largely block longer distance views of the wall. Nevertheless, at close quarters, and for those users of the footway leading to the jetty beyond, the appearance of the wall will be improved by the works proposed. It is therefore considered that the overcladding proposal will result in an enhancement to the character of both the Conservation Area and AONB. As such the proposal will meet the statutory test set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and also accord with the NPPF and Policies CS11, CS12, CS16 and DM20 of the development plan.

(iv) Impact upon adjacent uses

- 7.13 The consideration of adjoining uses arises from the fact that the proposed overclad wall will lie adjacent to a path proposed as part of the Dolphin Quay development, which will lead to a private jetty. The act of overcladding will reduce the width of this proposed path by 215mm - a pinchpoint of c.1.55m arising at the southern end of the overclad wall, increasing to 2.425m at its junction with the Queen Street entrance to the path. No representations have been received in connection with the application,

and the minimum width of the path will be equivalent to that of the pontoon depicted on the submitted plans as being served by the path. It will also exceed the 1.5m minimum width requirements of the Building Regulations for access to buildings other than dwellings, which whilst not strictly applicable to the land uses in question are referred to by the applicants in their Design and Access Statement and can be regarded as a useful comparison.

- 7.14 It is therefore considered that the use of the path leading to the jetty will not be seriously compromised by the works proposed.

8 Conclusion

- 8.1 The proposal to overclad the recently exposed wall on the west elevation of the Lord Raglan P.H. is considered to represent an enhancement which will benefit both the Listed Building and the Conservation Area setting of the site. It will not prejudice the use of the path which it adjoins. It is therefore recommended that permission be granted.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00899 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:

Lord Raglan Wall Location Plan 27958-WD089 Rev A
Lord Raglan Public House Wall Layouts 27958-PD160
Design & Access / Heritage Statement 27958 received 16 September 2019
Agent emails dated 11 & 13 November 2019 re brick bond and mortar mix

Reason: - To ensure provision of a satisfactory development.

- 3 Unless otherwise agreed in writing with the Local Planning Authority, the wall hereby approved shall be executed in the following manner:

(i) the brick bond shall be executed in Flemish Garden Wall Bond;
and

(ii) the mortar shall comprise *mortar: NHL 3.5 (3:1)* - 3.5 being the strength and 3:1 being the ratio of lime to sand.

Reason: To accord with the architectural and historic interest of the Listed Building and the amenities of the area, and having due regard to Policies CS11, CS12, 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.

