

Accompanying an application for alterations associated with a change of use of the ground floor to a flexible A1/A2/A3/A4/A5 use and the conversion and extension of the first and second floors to create three no. residential flats with associated works

at

The Town Brewery

2 West Street Emsworth

PO10 7DY



April 2019

Ref: 17117/PS2

CONTENTS

1.0	INTRODUCTION	1
2.0	THE SITE AND ITS PLANNING HISTORY	2
3.0	PLANNING POLICY CONSIDERATIONS	6
4.0	CONSIDERATIONS FOR THE DEVELOPMENT PROPOSAL.....	10
5.0	CONCLUSIONS AND RECOMMENDATION	12

1.0 INTRODUCTION AND SUMMARY

- 1.1 This Planning Statement has been prepared in support of a full planning application for works of conversion, alteration and extension to the Town Brewery, Emsworth. The proposal is for a flexible A1/A2/A3/A4/A5 ground floor use and the creation of three no. flats over with rear extensions of up to 2 and a half storeys, associated parking and amenity space. It deals with the Planning Policy considerations for the application in light of the National Planning Policy Framework and adopted and emerging Havant Borough Local Plan and Neighbourhood Plan policy.
- 1.2 The application is accompanied by a full set of plans which are all listed in the submitted Drawing Issue Sheet. The supporting Design and Access Statement prepared by Cover Storey Architects explains in detail the planning history and the evolution of the design, scale and massing and the use of materials in the proposal.
- 1.3 The Heritage implications of the development are set out by Orion Heritage in their own statement. The application is also supported by a bat survey which has considered the potential of the existing building for roosting bats.

2.0 THE SITE AND ITS PLANNING HISTORY

- 2.1 The Town Brewery former public house at No. 2 West Street is shown below at **figure 1**. It is located on the south side of West Street with the PH annotation. The existing building is two and a half storey with habitable accommodation within the roof space behind the 3 street facing gables. It has been vacant for a considerable time and is at an early stage of disrepair.

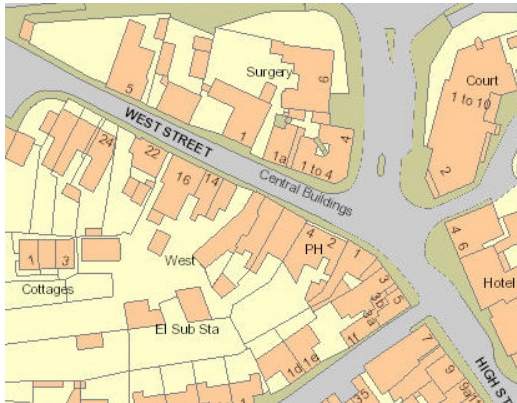


Figure 1 Site Location

- 2.2 To the rear the habitable accommodation in the roof is disclosed by 3 visible roof lights. Beyond this is a single storey extension last used as a kitchen. The remainder of the ground floor comprises the former bar and seating area. The first and second floors comprise a series of habitable rooms last used as ancillary accommodation to the pub.
- 2.3 To the rear of the property is an open grassed area with outbuildings leading to shared courtyard with access to West Street. There is one allocated car parking space located in front of a small electricity sub-station compound.
- 2.4 For planning policy purposes the site is within the Chichester Harbour Area of Outstanding Natural Beauty (AONB), the defined Emsworth District Centre and a secondary shopping frontage. It is within Flood Zone 1 which has the lowest risk of flood.
- 2.5 With regards to the principal heritage considerations, the site is within the Emsworth Conservation Area and adjacent to a grade II listed building, No 1 High Street currently occupied by a butchers. According to the Emsworth Conservation Area Character Appraisal the site itself is also a Building of Local Interest which makes a positive contribution to the Conservation Area.
- 2.6 **Figure 2** overleaf shows the boundary of the Conservation Area with the broken red line. The application building itself is coloured brown as a Building of Local Interest and the adjacent listed building No. 1 High Street is coloured red.

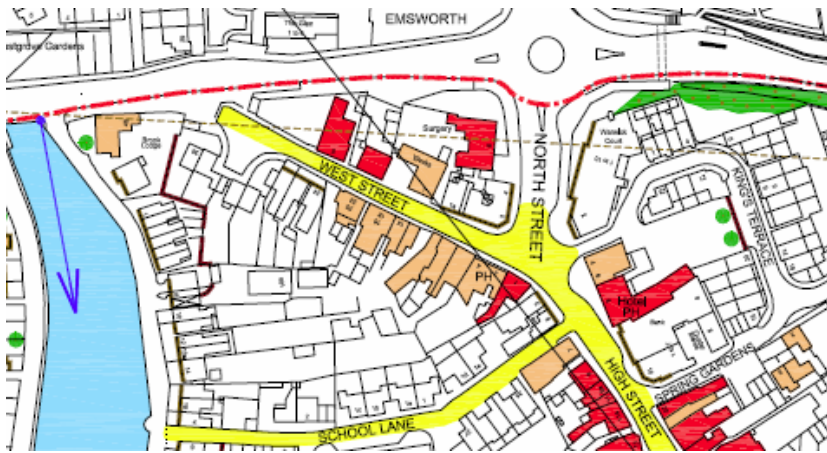


Figure 2 – Emsworth Character Appraisal Extract

Planning History

i) The Consented Fall Back

- 2.7 The planning history is set out in detail in the Design and Access Statement of Cover Storey Architects. The site benefits from an **implemented planning permission** granted in 2016 (LA Ref APP/16/00093) for external alterations and a change of use for a flexible ground floor A1/A2/A3/A4/A5 use, a rear extension of 2 and a half storeys and alterations to provide 2 x 2 bed apartments and 1 x 2 bed apartment with parking. Pre commencement conditions 2 and 9 attached to the original consent have been discharged, material works to secure the permission were commenced in April 2019 and the CIL liability of £7,205.36 paid. The implemented consent represents a legitimate fall back consideration for the current application.

ii) Other Alternatives

- 2.8 Notwithstanding this fall back, the applicant is committed to securing a different scheme of a better design to benefit the site and surrounding heritage interest of the Conservation Area and adjacent listed buildings. In fact excluding the consented scheme, **5 different proposals** have been worked up for the site, all failing to receive support from heritage officers of the Council.
- 2.9 The first alternative proposal was for a full 3 storey linked scheme of 2 x 3 bed townhouses to the rear of the property and alterations to the existing building to provide second floor accommodation to the rear. The planning application (LA Ref App/17/00067) was refused permission in March 2017. It involved a full width flat roofed rear extension and its size, scale, massing, design and layout were all considered to cause adverse impact on the character and setting of the Conservation Area.

- 2.10 Amendments were made to the refused application and a second scheme was submitted as pre-application enquiry (LA Ref GEN/17/00770). This and a subsequent pre application enquiry (LA Ref GEN/17/00982) were both given negative feedback by the Council. After this a fourth pre application enquiry Ref GEN/18/00500 was submitted in 2018 and proposed a different design approach for 2 x 2 bed and 2 x 1 bed apartments at first and second floor. All proposals were full 3 storey and all received negative feedback because of its alleged harmful effect on the setting, character and appearance of the area.
- 2.11 The last and fifth proposal was submitted as a planning application on 18 September 2018 and registered under LA Ref APP/18/00938. In light of the continued resistance of the Council to a full 3 storey proposal, this returned to the principle of 3 flats with a rear extension of two and a half storeys. However it too was refused by reason of its height, mass and design having an alleged unacceptable and intrusive impact on the existing building and on the character and setting of the Conservation Area.

iii) The Current Application Proposal

- 2.12 This application is the sixth proposal for the site. On any view, this extensive history has allowed the planning and heritage officers of the Council to develop a very good understanding of the site and the existing building and looking forward, what sort of design they would be prepared to support for the site.
- 2.13 In this regard a very productive pre application meeting was held with officers in January 2019 and this application now fully embraces their ideas and design approach for the site. After the meeting sketch proposals were presented to the officers and written comments received confirmed that they felt:

'....the scheme has taken a positive step forward. The roof form and scale appear in keeping with the existing building and the surrounding area. The design itself seems to play a nice twist with traditional form and contemporary finishes which is also welcome. Overall we are very encouraged by the sketches that have been submitted. Materials will of course be critical and will need to be of a high quality (in particular the roof). In terms of the impact on the amenities of neighbouring properties, as we have previously discussed, (we) need to be assured that the first floor windows would not result in direct overlooking into the properties in School Lane'.

- 2.14 The scheme the officers commented on showed less variation in roof pitch and style and instead showed two principal rear facing gables that sit below the existing Town Brewery ridge line taking a 'nod' from the heritage and design interest of the front elevation of the building. It still proposes 3 no. flats with commercial space on the ground floor. The outlook from the rear facing bedroom windows is angled towards the courtyard to avoid overlooking of West

Cottage. The dormer window on the last refused scheme has been omitted altogether and 2 no. roof lights are included to the rear elevation along with the retained rooflight to the study room.

- 2.15 The principal materials include vertical 'black' timber cladding, green sedum flat roofs to all single storey extensions and an 'Off-white' render for the two storey extension as used on adjacent buildings No.6 & 8. Polyester powder coated aluminium 'Black' framed double glazed windows are proposed throughout with the window proportions at first floor level replicating the existing sash windows on the rear elevation. Zinc metal clad roofing is proposed to match the colour of the existing tiles.
- 2.16 The Design and Access Statement of Cover Storey Architects and the Heritage Statement of Orion Heritage deal with the design approach and heritage implications of the proposal in more detail respectively.

3.0 PLANNING POLICY CONSIDERATIONS

- 3.1 Planning policy considerations relevant to this planning application comprise the National Planning Policy Framework revised in February 2019, the Havant Borough Core Strategy 2011 and Local Plan (Allocations). Emerging policy in the proposed Replacement Local Plan and the Emsworth Forum Pre Submission Neighbourhood Plan are both at an early stage of preparation and should carry only limited weight as planning considerations for the application.

National Planning Policy

- 3.2 The National Planning Policy Framework confirms that the principle of determining planning applications shall continue to be in accordance with the Development Plan unless material considerations indicate otherwise (paragraph 2). Paragraph 11 deals with the presumption in favour of sustainable development which for decision taking on planning applications, means:
- Approving development proposals that accord with the development plan without delay; or
 - Where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, granting permission unless:
 - The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 3.3 The NPPF encourages pre application dialogue with the applicant (para 39-41). Regarding emerging policy, it states that weight can be given to emerging policy depending on the stage of preparation, the extent of any unresolved objections and degree of consistency with national policy in the Framework (paragraph 48).
- 3.4 On design, section 12 sets out to ensure that developments function well and are visually attractive as a result of design layout and effective landscaping. Paragraph 128 encourages discussion between applicants and the LPA about the design of emerging schemes and applications that demonstrate proactive engagement should be looked on more favourably than those that do not. Where design accords with expectations in plan policies it should not be used by the decision maker as a valid reason to object to development (paragraph 130).

- 3.5 Although the site is within a town centre location it is still within the Chichester Harbour AONB. Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in these areas.
- 3.6 Heritage policy is relevant given the existing public house is a defined Building of Local Interest, is within the Emsworth Conservation Area and adjacent to a grade II listed building.
- 3.7 Listed buildings and Conservation Areas are designated heritage assets and assets identified by local planning authorities including locally listed buildings are classified as heritage assets. In considering planning applications paragraph 190 requires planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal including development affecting the setting of a heritage asset. In determining the application paragraph 192 states they should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
- 3.8 Paragraph 193 recognises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation and the more important the asset the greater the weight should be. This test will apply to the impact of the proposed development on the Emsworth Conservation Area and the adjacent listed building. As the building itself is only of local interest, paragraph 197 will apply to the works of extension and alteration. This simply says that:
- ‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.**
- 3.9 At this stage we would comment that the implemented 2016 consent for 3 flats with a rear extension benchmarks the scale of development which the Council accepted would conserve the significance of the Conservation Area and the adjacent listed building and the local interest in the building itself. This scale of development is replicated in the current application as the floor areas are comparable. The considerations for this application should therefore relate only to the revised design and use of materials. These matters have been set out in the Design and Access Statement of Cover Storey Architects and the Heritage Statement of Orion Heritage. Both reports

have concluded that no harm has been caused to any heritage asset from the proposed design, scale, bulk, massing or use of materials in the proposal.

Local Plan Policy

Havant Borough Core Strategy

- 3.10 The Core Strategy was adopted in 2011. Relevant policies are CS4, CS9, CS11, CS12, CS16, CS17, CS21 and DM2.
- 3.11 Policy CS4 encourages appropriate town centre proposals within the Emsworth District Centre including high quality, mixed-use development that retains active ground floor frontages. CS9 encourages the provision of a mix of house types and sizes to meet need. No affordable housing is triggered by the proposed 3 flats as they are below the minimum threshold of provision (5 dwellings gross) set out in the policy. CS11 aims to protect and enhance the special environment and heritage of the District including heritage assets by managing development in or adjacent to Conservation Areas, listed buildings and buildings of local interest. CS12 deals with development in the AONB. The proposal plainly avoids harm to the setting of the AONB given its town centre location. CS16 requires high quality design, protection of residential amenity and development that produces a positive relationship between buildings, streets and spaces. CS17 encourages the most effective use of land including the concentration of development within existing urban areas including Emsworth. CS21 is a general policy requiring infrastructure requirements are met. In this regard the development will make appropriate contributions to the Solent Mitigation Strategy and the required CIL charge. DM2 requires the protection of existing community facilities and shops. The existing public house is vacant but the proposal will retain alternative community facilities with the proposed flexible mixed uses on the ground floor.

Havant Borough Local Plan Allocations

- 3.12 This Plan was adopted in 2014. Relevant policies are AL3 and DM20. AL3 applies to defined Town District and Local Centres. The site is within the Emsworth District Centre and a defined secondary frontage. AL3 requires 25% of units are retained as A1 use in secondary frontages. The proposed flexible A1/A2/A3/A4/A5 use meets the requirements of the policy. DM20 concerns Historic Assets and states that planning permission will be granted where proposals conserve and enhance the historic assets of Havant Borough. Applications that affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement. The policy is fully complied with as explained in the Heritage Statement of Orion Heritage.

Emerging Policy

Havant Borough Local Plan 2036

- 3.13 The emerging Local Plan was published for consultation in 2018. It takes forward many of the adopted policies and whilst it is at an early stage of preparation and only limited weight can be attached to the policies, all are complied with in any event. Policy E6 requires high quality design in new developments; E9 – the Protection of heritage assets; E10 and E11 general policies dealing with landscape, townscape and the AONB; H1 – housing need, supply and brownfield sites; H3 – housing density and mix; C5 – Emsworth District Centre; and C11- Protecting existing Community Facilities and Shops.

Emsworth Neighbourhood Forum – Emsworth Neighbourhood Plan

- 3.14 The Pre Submission Neighbourhood Plan was published for consultation in November 2017 by the Emsworth Neighbourhood Forum. Its policies have been informed by the District Council's own Core Strategy and Site Allocations Plan.
- 3.15 Policy C2 deals with retail, high street and food and drink uses. It supports development providing A1, A2, A3 & A4 uses. Policy L1 requires all new housing in the plan area to respect Emsworth heritage assets, especially in the town centre and on the waterfront. It states new housing shall not be permitted to interrupt views or roof scapes identified in the Emsworth Conservation Area Character Appraisal (March 2010). The proposed design including a rear extension accords with this policy.
- 3.16 Policy H1 deals with Design & Heritage. It states any new development or alteration to an existing structure will be required in its design, scale and materials to preserve or enhance the setting of heritage assets, whether designated or undesignated, and the historic character of Emsworth. Policy H2 also requires a full heritage appraisal is carried out for development involving heritage assets.
- 3.17 Policies D1–D5 deals with all aspects of design, height, mass and use of materials in development, layout and wider streetscape integration. In our view, the very thorough planning history and consideration of previous proposals for the site by the Council including at planning application and pre application stage is an indicator that all these matters have been comprehensively addressed.

4.0 CONSIDERATIONS FOR THE DEVELOPMENT PROPOSAL

Heritage Assessment

- 4.1 As explained in the previous sections, the Town Brewery at No.2 West Street is a designated building of local interest within the Conservation Area. It is adjacent to a grade II listed building. The heritage implications of the sites' redevelopment have been considered by the Council in connection with previous proposals and have informed the current scheme. These matters are considered in detail in the Design and Access Statement of Cover Storey Architects and the Heritage Statement of Orion Heritage.

Design Principles Layout and Appearance

- 4.2 The implemented fall back consent of 2016 benchmarks what the Council considers to be an acceptable scale, bulk, massing and design of building for the application site. However the Council officers have also indicated in comments informing the current application proposal that the different design approach now proposed is also capable of receiving officer support. The proposal is unashamedly contemporary in design but retains features of the existing building on the front elevation to help preserve and enhance the character and appearance of the Conservation Area in which it is situated, all in accordance with the statutory test in Section 72 of the Conservation and Listed Buildings Act 1990. In summary:

- The change of use and conversion of the existing building into 3 flats is at an acceptable scale and still maintains a policy compliant commercial ground floor space;
- The rear extension causes no neighbour amenity issues in terms of overlooking or overshadowing and has little wider public visibility for the wider public domain;
- And compared with the implemented fall back scheme, the design has been altered to better reflect local character better and with the use of sympathetic materials.

Scale and Amount

- 4.3 The existing building comprises 126.8m² on the ground floor (excluding the light well). The first floor is 83.7m² and the roof space 35.4m², a total of 245.9m². The proposal provides for 95m² on the rearranged and extended ground floor, single storey flat of 58.9m² and 2 flats with a combined floorspace of 142.2m² on the first floor. The total proposed floorspace is therefore 296.1m². The floor area increase is therefore only of the order of 50m². This clearly demonstrates the modest nature of the proposal and the significant reductions that have been made in comparison to the previous town house and full 3 storey rear extension schemes.

Access and Biodiversity

- 4.4 There are no changes to the access arrangements or car parking (3 spaces) which are the same as the implemented scheme.
- 4.5 The potential for biodiversity interest from bats in the existing building has been considered and proposed mitigation measures set out in the Bat Report can be made the subject of planning conditions in the usual way.

5.0 CONCLUSIONS AND RECOMMENDATION

- 5.1 Excluding the implemented 2016 fall back scheme this application is the sixth proposal for the site. The further changes to the design, appearance and use of materials have been informed by advice of officers of Havant Borough Council and all aspects of it have been exhaustively and rigorously examined. Compared with the fall back scheme there is now a much improved relationship with the adjacent listed building. The setting of the Conservation Area is preserved and harm is avoided to the significance of the existing Building of Local Interest.
- 5.2 The proposed works avoid conflict with policy in the NPPF, adopted policy in the Havant Borough Core Strategy and Site Allocations Local Plan. Emerging Policy in 2036 Local Plan and the Emsworth Neighbourhood Plan is respected.

Recommendation

- 5.3 Since the proposal accords with the Development Plan and the NPPF, and there are no other adverse impacts (technical, policy, landscape, biodiversity or otherwise) which significantly and demonstrably outweigh the benefits of the application, it should be granted planning permission at the earliest opportunity.