
Site Address: 70 - 72 West Street, Havant, PO9 1LN
Proposal: Change of use of ground floor of No. 72 from A1 to C3 and replacement single storey rear extension. Removal of chimney from rear of No.70. Alterations to fenestration on both properties.
Application No: APP/17/00326 Expiry Date: 25/05/2017
Applicant: Mr Harris
BBC BUILD
Agent: Mr Critchley Case Officer: Harriet Pitney
Martin Critchley, Architect
Ward: St Faiths
Site Visit Date:

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is a two storey terraced building located on the northern side of West Street within the "Black Dog" Conservation Area.

The property has been constructed of red brick with yellow quoin's and a tile roof with two projecting bay windows at first floor level and three small dormers to the front roof slope. The application site has been utilised previously for residential purposes with an element of retail use at ground floor level.

West Street is located within the Town Centre of Havant and forms an extension to one of the principal shopping streets. To the south side of West Street, there is a two storey block consisting of primarily retail at ground floor level and office accommodation at first floor level. The rear of the site is immediately adjacent to Havant Stream which separates the application site from the retail park to the rear.

2 Planning History

APP/16/01278 - Replacement single storey rear extension, alterations to fenestration and replacement front wall.
, PERM, 06/02/2017

APP/17/00019- Replacement windows; installation of external staircase to north elevation; brick and render elevations to match existing.
, PERM, 16/02/2017

3 Proposal

This application proposes a change of use of the ground floor of No.72 West Street from A1 (retail) to C3 (residential) and a replacement single storey extension to the rear. This application also incorporates the removal of the chimney from the rear of No.70 West Street and alterations to the fenestration on both properties (No. 70 & 72 West Street).

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Black Dog

5 Statutory and Non Statutory Consultations

Conservation Officer, Development Control

Number 70 and 72 are former retail premises with residential accommodation above they are situated within the Black Dog Conservation Area. Whilst the application sites are not specifically identified as a locally listed buildings but have distinct features with in the local townscape and makes a positive contribution to the character and appearance of the conservation area. The existing windows are a mixture of Upvc and timber. The timber units in particular are in poor state of repair and appear in need of replacement.

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 proposal is for change of use for the ground floor from A1 to C3 and alterations to fenestration. Removal of chimney to rear of No.70 and replacement single storey building to rear of No.72.

The change of use of the ground floor from retail to residential in its self is not an issue however changes to the aesthetic of the front elevation requires consideration as to their potential impact on the setting and character of the Conservation Area. Windows to ground floor are proposed as 2 over 2 windows, further details of the windows opening would be required. I am slightly concerned by the height of the windows as they extend to ceiling level whilst this mirrors those at No 74 there is a break in the glazing between the main oane and the fan light above. I would like to see some form of separation between ground and first floor as this looks quite 'compressed' at present.

It is also proposed to alter the current timber windows to Upvc. Upvc double glazed units are not traditionally accepted within Conservation Areas except in exceptional circumstances. However, due to the context of this building with its existing mix of Upvc units and the deteriorating appearance of the existing timber windows it is considered that UPVC windows are appropriate in this instance.

To ensure that the Upvc windows are not of a bulky appearance I would request that a condition is attached to any permission for detailed plans of the proposed windows. This is to ensure they are not out of keeping with the surrounding area and host building.

Changes to the fenestration to the side and rear elevations has little impact on the character or setting of the Conservation Area and I am happy with the proposed changes to the fenestration.

The chimney to the rear of No 70 is detailed for removal. The loss of the chimney to the rear is deemed not to be detrimental to the aesthetic of the building of the Conservation Area as it is not seen from the primary elevation to the south. However I would request that further clarification is sought on chimneys to the main ridge as the photographs show three chimneys along the ridge whilst the existing elevation plans only show two chimneys.

It is noted that the scheme includes rendering the brick work and painting it to match No. 74-76. The application site has its own distinct character of red brick in yellow brick quoins that would be a significant loss to the street scene. Also the yellow brick work above the archway appears to be lost in the lowering of the arch.

The introduction of vertical delineation of the properties using pilasters to mark the boundary between the properties is a considered nod to the premises former retail use. I would like to see further details on materials for this element.

Request more detail on the finish over the rear access archway. Would like to see detailing retained.

Condition: Window details to be submitted

County Archaeologist

Although the site is located within the historic core of the medieval town, in view on the small scale of the groundworks I would not raise any archaeological issues.

Crime Prevention -Minor Apps

No comments received.

Economic Development - Retail and Town Centres

No objection to this proposal

Environment Agency

No comments received.

Waste Services Manager

I have no concerns over waste collection regarding this planning application.

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: At least one site notice exists - check the number.

Statutory advertisement: 07/04/2017

Number of representations received: 0

Summary: No representations received

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
- (iii) Impact upon residential amenity
- (iv) Loss of local shop
- (v) Other matters

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered to be acceptable in principle subject to the usual development control criteria.

(ii) Impact upon the character and appearance of the area

7.3 The demolition and replacement of the single storey rear extension to No.72 West Street Havant would not be readily visible from the public realm and as such it is not considered that this aspect of the proposal would result in any significant impact which would harm the character and appearance of the Conservation Area. The design and appearance of this aspect of the proposal is considered to be appropriate in context with the existing building which respects the existing built form and is therefore considered compliant with Policies CS11 & CS16 of the HBLP (Core Strategy).

7.4 In respect of the proposed change of use to No.72 from A1 (retail) to C3 (residential), the Councils Conservation Officer has been consulted as part of this application and has concluded that whilst the change of use in itself would not result in any significant harm to the Conservation Area, the proposed changes to the aesthetic of the front elevation requires further consideration, particularly the windows proposed which do not mirror those at No.74 West Street. On this basis, a condition has been recommended that further details are submitted to the Local Planning Authority prior to the commencement of any works in this regard for approval by the Conservation Officer.

7.5 The proposed alterations to No.70 West street primarily incorporates the removal of the existing chimney to the rear. The Councils Conservation Officer has further concluded that the loss of the chimney to the rear is deemed not to be detrimental to the aesthetic of the building as this would not be visible from the primary elevation to the south and therefore conserves the character and setting of the Conservation Area.

7.6 Concerns have been raised however by the Councils Conservation Officer in respect of the materials proposed which incorporate rendering/painting the existing brickwork to match the adjacent site (No. 74-76) West Street. It is considered that the application site has its own distinct character of red brick in yellow quoins and the proposed materials would therefore result in a significant loss to the streetscene. On this basis, further details have been requested in the form of a planning condition which would need to be approved by the Local Planning Authority prior to any commencement of works on site.

7.7 On the basis of all of the above, it is considered that the proposed development is compliant with Policies CS11 & CS16 of the HBLP (Core Strategy).

(iii) Impact upon residential amenity

7.8 When considering the impact upon neighbour amenity, it is important to note that a single storey extension currently exists to the rear of the application site. Similarly No. 70 West Street also benefits from an existing single storey extension to the rear which was subject to the approval of a previous application (APP/16/01278). It is important to note that the single storey extension to the rear of No.70 is of an increased depth to that proposed at No.72. On this basis and given that the proposed replacement extension would not result in a significant increase in terms of its height, depth or overall scale, it is not considered that this aspect of the proposal would result in any additional loss of light, privacy, outlook or appear overbearing to any of the adjacent neighbouring property's in context with what is already evident on site.

7.9 The proposed alterations to the front, the removal of the chimney to No. 70 and the proposed alterations to the existing fenestration would furthermore not be considered to result in any impact which would be detrimental to neighbour amenity.

7.10 Consequently, it is considered that the proposal would have a limited and acceptable impact on the properties immediately adjacent to the application site and the proposed development is therefore considered to be compliant with Policy CS16 of the HBLP (Core Strategy).

7.11 It is noted that no letters of objection were received in relation to this application.

(iv) Loss of local shop

7.12 Local plan policy DM2 (protection of existing community facilities and shops) advises that development proposing the loss of any premises or land currently or last used as community services and facilities, including local shops, will only be permitted where it has been demonstrated, through an active marketing process, that the premises or land are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community. In the case of local shops such as this, the premises must have been marketed for at least six months and should include the following;

- 7.13
- i) Confirmation by the marketing agent on headed company paper that the premises were appropriately and extensively marketed for the required length of time as set out by the council.
 - ii) Dated photographs of marketing board/s on the premises of an appropriate quality, size, scale, location and number during this time.
 - iii) An enquiry log, how it was followed up and why it was unsuccessful.
 - iv) A copy of all advertisements in the local press and trade journals (should be at least four weeks' worth of advertisements, spread across a six month period).
 - vi) Evidence of marketing via the internet.

7.14 In the case of this application, a marketing statement has been provided which looks at; the application site in general, the physical and economic context and the marketing history of the site. Whilst the information provided is considered to be relatively vague and does not satisfy all of the criterion detailed above, it is acknowledged that some evidence has been provided in response to this criteria.

7.15 Furthermore, it must be acknowledged that ordinarily this type of change (from A1 to C3) could be done under the Permitted Development criteria, without the need for formal planning permission. This is not the case in this instance by virtue of the property's location being within a designated Conservation Area.

7.16 On the basis of all of the above, whilst the marketing evidence provided is not

considered to be sufficient in satisfying all of the criteria detailed within paragraph 7.13 and therefore does not satisfy the full requirements of Local Plan policy DM2, consideration must be given to the fallback position, in that if the site were not in a Conservation Area it would be Permitted Development. As such, it is considered on balance that it would be difficult to refuse the application on this matter above.

(v) Other matters

7.17 Under the Habitat Regulations the proposal results in a new dwelling, for which avoidance and mitigation measures must be secured to protect the habitats and species of the Borough's European sites. To comply with these regulations the applicant is required to make a financial contribution towards the Solent Mitigation Project before development commences.

7.18 In this case, the applicant has paid the relevant contribution of £210.00 (which includes the financial contribution of £181 per dwelling, an administration fee of £20 and a monitoring fee of £9) and submitted a signed copy of the Payment Form/Deed. The requirement of the Habitat Regulations have therefore been met.

7.19 The application would also be liable for the Community Infrastructure Levy to an amount of £4733.04.

8 Conclusion

Based on all of the considerations detailed above, the proposed development is considered to be acceptable and is therefore recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00326 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 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 Notwithstanding the approved plans, no above ground construction works shall take place unless and until detailed drawings of the windows and doors have been submitted to, and approved in writing by the local planning authority.

The details to comprise:-

- a) Plans to clearly identify the windows in question and their location within the property.
- a) 1:20 elevation and plan; 1:5 section and full size glazing bar detail. The details to include the position of the window within the opening (depth of reveal) and method of fixing the glazing (putty or beading)
- a) The materials used, method of opening and finishes.

The works shall be 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 in accordance with policies CS11 and CS16 of Havant Borough Council Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location and block plan (16103-1210)- received 24th March 2017
 Existing ground floor plan (16103-2210)- received 24th March 2017
 Existing upper floor plans (16103-2220)- received 24th March 2017
 Existing elevations (16103-3210)- received 24th March 2017
 Existing elevations (16103-3220)- received 24th March 2017
 Proposed ground floor plan (16103-4210)- received 24th March 2017
 Proposed upper floor plans (16103-4220)- received 24th March 2017
 Proposed elevations (16103-5210)- received 24th March 2017
 Proposed elevations (16103-5220)- received 24th March 2017
 Design and Access Statement and Heritage Report- received 24th March 2017
 6 photographs submitted showing existing elevations- received 24th March 2017
 Marketing Statement- received 8th June 2017
 Additional Marketing Information- received 29th June 2017

Reason: - To ensure provision of a satisfactory development.