
Site Address:	51 High Street, Emsworth, PO10 7AN		
Proposal:	Listed Building Consent for revised door and window layout to approved application. (Ref No APP/23/00404)		
Application Type:	Listed Building Consent		
Application No:	APP/24/00047	Expiry Date:	11/04/2024
Applicant:	Mr Wisniewski Andrew & Andrew Solicitors		
Agent:	Mr Davies Helyer Davies Architects Ltd	Case Officer:	Ikrame Essalih
Ward:	Emsworth		

Recommendation: **GRANT LISTED BUILDING CONSENT**

1 Site Description

- 1.1 51 High Street, Emsworth is three storey building fully rendered in white colour with elements of light and dark grey timber, sash windows and a gable pitched roof with the slope part facing High Street. The rear part of the building is first-floor lean to single storey flat roof built with roof terrace. The application site is located on a corner plot at High Street and Tower Street junction with an access door from each street.
- 1.2 The building currently comprises office spaces on all floors further to a previous change of use. It is a grade II Listed Building within Emsworth Conservation Area.
- 1.3 The surrounding area comprises mainly mixed-use buildings with commercial ground floors and residential upper floors.

2 Planning History

98/56461/005 - 1 non-illuminated swinging sign, 2 non-illuminated fascia signs and 1 window transfer, PERM,09/06/1998

98/56461/006 - Change of use of ground floor from Class B1 (office use) to Class A2 (financial and professional services), PERM,09/06/1998

98/56461/007 - Listed Building application for 1 non-illuminated swinging sign, 2 non-illuminated fascia signs, 1 window transfer and retention of painted ground floor exterior, all to front elevation, PERM,09/06/1998

97/56461/004 - Renewal of temporary permission no. 94/56461/3 to continue use of premises as ofices (B1), PERM,17/04/1997

94/56461/003 - Continued use of Ground Floor as Offices (B1), TPP,17/02/1994

91/56461/000 - C/U of grd floor from retail (A1) to office (B1), new shop front, alterations to Tower St elevation, and alterations to rear incl. 1st floor pergola/ terrace & grd floor extensio, PERM,20/02/1992

91/56461/001 - New shop front, alterations to Tower St elevation, relocatio of fire

escape stair
 r, replace 1st floor conservatory with pergola/terrace,
 ground floor rear extn,
 & internal alts., PERM,
 06/56461/008 - Minor alterations and Change of Use from A2 (Estate Agent) to a
 single domestic unit., REF,18/07/2006
 06/56461/009 - Listed Building Consent for internal and external works to building.,
 PERM,18/07/2006
 GEN/15/00487 - Class usage check., ,19/05/2015 13:34:09
 GEN/18/00036 - Is the property within a Conservation Area or a Listed Building. Class
 use of the property. , ,10/01/2018 12:19:52
 GEN/18/00060 - Is Planning Permission required to change the use to A2.,
 ,30/01/2018
 APP/18/00347 - Change of use from A3 retail to A2., WD,13/04/2018
 APP/18/00348 - Listed Building Consent for internal alterations., PERM,29/05/2018
 APP/20/01125 - Listed Building Consent for internal and external alterations and
 refurbishment., PERM,17/03/2021
 GEN/22/00929 - Listed building advice for alterations., ,10/11/2022 14:23:25
 APP/23/00036 - First floor extension onto existing outside terrace., WD,10/03/2023
 APP/23/00037 - Listed building consent for first floor extension onto existing outside
 terrace., PERM,10/03/2023
 APP/23/00319 - Conversion of existing open garage space to office.,
 PERM,21/06/2023
 APP/23/00404 - Listed Building Consent for garage conversion to office (approved
 11.8.23). Request to discharge condition 2 (withdrawn 15.1.24)., PERM,11/08/2023
 APP/23/00917 - DOC cond 2 APP/23/00404, UNK,

3 Proposal

- 3.1 Listed Building Consent is sought for an alternative design for a door and window to previously approved plans related to planning permission APP/23/00404. Further to consultations for a related discharge of conditions application, the agent was advised to apply for Listed Building Consent for the newly proposed design and materials.
- 3.2 The original proposal consists of installing a new door and window on the side elevation of the property fronting Tower Street.

4 Policy Considerations

National Planning Policy Framework
 Havant Borough Council Borough Design Guide SPD December 2011
 Havant Borough Council Parking SPD July 2016
 Chichester Harbour Area of Outstanding Natural Beauty Joint Supplementary Planning Document (AONB SPD) 2017

Havant Borough Local Plan (Core Strategy) March 2011

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|------|---|
| 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)

AL1 (Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H2 (Buildings of Local Historic Interest)

ENP_H1 (Design & Heritage)

ENP_D1 (General Design Policy)

ENP_D2 (Height, Mass & Materials)

Listed Building Grade: Grade 2

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

We are pleased to see that the applicant has opted for a more traditional window and door which should enhance the character and appearance of the Listed Building, Conservation Area and AONB.

Conclusion: **NO OBJECTION**

Conservation Officer

The application site is a three-storey, end of terrace building, dating back to the late 18th century. Due to its architectural and historic significance, it is Grade II listed. It is located on the corner of High Street and Tower Street, within the Emsworth Conservation Area.

Having previously been a residential property and then a shop, it's current use is office accommodation on all floors. The side elevation extends along Tower Street and features a first-floor lean to extension, which leads out to an external roof terrace. This terrace has an external staircase which leads to an external ground floor area. This ground floor space is enclosed by a garage door which fronts onto Tower Street and is currently used as a parking space. The building has a render finish, painted white with timber framed, sash windows on the front and side elevations.

Proposal

Listed Building Consent for revised door and window layout to approved application.
(Ref No APP/23/00404)

Legislative and Policy Context

When assessing the proposal, the following legislation and policy context is taken in consideration.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act") requires local planning authorities to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest when considering whether to grant listed building consent.

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 NPPF (December 2023) 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: 195 - 208 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 **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 states that planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement that:

1. Describe the significance of the asset and its setting, using appropriate expertise and where necessary original survey, at a level of detail proportionate to its significance and sufficient to understand the potential impact of the proposal.
2. Sets out the impact of the development on the heritage assets and mitigation that is proportionate to the impact and the significance of the heritage asset, including where possible positive opportunities to conserve and enjoy heritage assets.

Emsworth Neighbourhood Plan

The Emsworth Neighbourhood Plan has now been adopted and has relevant policies which are applicable to this application:

Policy H1 - Design and Heritage

Policy H2 - Locally listed buildings

Assessment

Following LBC APP/23/00404, the proposal seeks to revise the design of the window / door within the extension (which is to replace the existing garage door). The previous approved door was a modern design compared to the now proposed traditional style. Overall, there is no objection to the use of a more traditional style of fenestration in this elevation.

Conclusion

In summary, it is considered that the proposal would not be harmful to the significance

of the designated heritage assets (the listed building and the Emsworth CA) and would preserve and enhance the special qualities of the conservation area, meeting the tests set out in Sections 66 and 72 of the T&CPA 1990 (Listed Buildings and Conservation Areas).

NO OBJECTION subject to the following conditions:

1. Prior to the commencement of the proposed works hereby approved full details of all new doors / windows including, materials and finish shall be submitted approved unless otherwise agreed by the Local Planning Authority.

Officer's Comment: Further to discussions with the agent and the Conservation Officer, further information has been submitted by the agent with a clarification of the proposed design and details. Further to re-consultation with the Conservation Officer, the submitted information is deemed sufficient and satisfactory, hence the above condition is not attached to the decision.

Councillor Grainne Rason

No comments received.

Councillor Lulu Bowerman

No comments received.

Councillor R Kennett

No comments received.

Emsworth Residents Forum

No comments received.

Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Conclusion: *No advice to be provided.*

Natural England Government Team

No comments received.

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: 1

Statutory advertisement: 23/02/2024

Number of representations received: 0

Comment	Officer Comment
<u>No comments received.</u>	N/A

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) Appropriateness of design and impact on the character of the area/ AONB
- (iii) Impact on the heritage and character of the listed building and a conservation area
- (iv) Impact upon residential amenity

(i) Principle of development

7.2 The application site is located within a defined urban area; therefore, development is considered acceptable in principle subject to the development management criteria.

7.3 As the application site is a Listed Building Grade II, Section 16, Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the determination of this application requiring special regard to the desirability of preserving a listed building, its setting and any features of special architectural or historic interest which it holds.

(ii) Appropriateness of design and impact on the character of the area/ AONB

7.4 The proposal involves a revised design to previously approved door and window at the west elevation side of the main building. The door and window framing would be of handmade white painted timber. Comparing the proposed door and window's design and material to the existing and the previously approved proposal, it is considered that the alternative design would improve the overall aspect of the façades without altering the nature and general features of the listed building.

7.5 Comments from the Conservation Officer confirmed that the proposal would not be harmful to the main listed building and the significance of the designated heritage assets and would preserve and enrich the special character of the conservation area.

7.6 Comments from The Council's Conservation Officer and the Chichester Harbour Conservancy confirmed that the revised proposal showing a more traditional window and door is considered to be more appropriate, would not be harmful to historic core of the property and would preserve and enhance the character and appearance of the Listed Building as well as the special character of the conservation area and AONB.

- 7.7 Therefore, it is considered that the design and appearance of the proposal are deemed appropriate in context to the main building and would not result in any adverse impact on the visual amenity of the locality and is therefore considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the HBLP (Core Strategy), Policy H1 of the Emsworth Neighbourhood Plan and the duty set out in Section 84 of the Countryside and Rights of Way Act 2000 and Section 245 of the Levelling Up and Regeneration Act 2023.

(iii) Impact on the heritage and character of the listed building and a conservation area

- 7.8 The property is a Grade II listed building, situated in Emsworth Conservation Area, and an AONB. Comments from the Conservation Officer confirmed that the proposal would not be harmful to the main listed building and the significance of the designated heritage assets and would preserve and enrich the special character of the conservation area.
- 7.9 Additionally, a heritage statement has been submitted as part of the application which covers the requirements of policy DM20 of the HBLP (Allocations) and explains how the proposal would have a minimal and positive impact to the conservation area and character of the Listed building, meeting the requirements of policy CS11 of the HBLP (Core Strategy) and Policy H1 of the Emsworth Neighbourhood Plan and the duty set out in Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(iv) Impact upon residential amenity

- 7.10 Although the front elevation is visible from the streetscene, the proposed new door and window design amount to minor alterations which would be considered acceptable with no adverse impact on the amenities of neighbouring properties meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the proposed works.

8 Conclusion

- 8.1 The proposal is considered acceptable and would have limited and positive impact to the character of the Listed Building, the conservation area and the AONB. Therefore, it is considered appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT LISTED BUILDING CONSENT** for application APP/24/00047, 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:

22131 - 02 PREVIOUSLY APPROVED ELEVATIONS, FLOOR PLANS,
SECTIONS, BLOCK AND LOCATION PLANS
22131 - 100 EXISTING AND PROPOSED ELEVATIONS, FLOOR,
BLOCK AND LOCATION PLANS WITH DETAILS
REVISED DESIGN AND ACCESS AND HERITAGE STATEMENT - Uploaded
19/01/2024
AGENT CONFIRMATION OF PROPOSED MATERIALS - Uploaded
02/04/2024

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans and correspondence, or shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 and CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.