

Officer Comment: This is the original planning permission.

APP/23/00277 - Construction of single storey rear extension to form plant room.,
PERM,22/02/2024

APP/23/00388 - Listed Building Consent for part demolition and conversion of
outbuildings to 2 No. 2bed apartments., WD,12/07/2023

3 Proposal

Variation of conditions 2, 3 of Planning Permission APP/21/00814 (Construction of four storey residential building comprising 8No. two bedroom apartments) relating to materials as shown on plan number 21/100/BR03D - the use of brickwork instead of render on the front elevation; alterations to style/design of windows and window headers and the amount / style of corncicing.

4 Policy Considerations

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)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL3	(Town, District and Local Centres)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: Not applicable.
Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

Community Infrastructure, Planning Policy & Urban Design

This is a S73 application, which will not affect the CIL paid under APP/21/00814. As soon as reasonably practicable after decision the CIL Team will confirm this in writing.

Heritage Team HBC

Site

The application site comprises a newly constructed building permitted under APP/21/00814. The building is not fully completed and therefore not occupied. The site falls within the St Faiths Conservation Area.

Proposal

Variation of condition 3 of Planning Permission APP/21/00814 (Construction of four storey residential building comprising 8No. two bedroom apartments) relating to materials as shown on plan number 21100BR03B - the use of brickwork instead of render on the front elevation.

In addition to the change to the façade material (render to brick), the following changes have been incorporated:

- Alterations to style / design of windows
- Alterations to stone window headers
- Alterations to amount / style of cornicing

Legislative and Policy Context

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

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.

NPPF

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 – 214.

Local Plan

Local planning policy comprises the adopted Havant Borough Local Plan Core Strategy 2011, along with the Allocations Plan 2014. 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.

Assessment

It is regrettable that the original design has been diluted in terms of the quality of detailed architectural features such as dentil coursing. Furthermore, the originally approved mixture of brickwork and render, provided some contextual interest to the front façade and its visual contribution to the conservation area. The front façade now comprises of the approved red brick only, with three section of stone corning, one of which is yet to be completed (the top section).

Nonetheless, whilst the design differs from that of the original approved, the newly constructed building is still a vast improvement to what previously existing on the site and has resulted in an enhancement to the conservation area. In general, the build is of a high quality with the use of good stock brick and timber frame sash windows. Therefore on balance, there is no objection to the variations being applied for as part of this application.

Conclusion

NO OBJECTION but a condition should be included to require the remaining section of corning to be completed within 3 months of the date of any approval.

Councillor Gillian Harris

No comments received.

Councillor Imogen Payter

No comments received.

Councillor Phil Munday - St Faiths

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: 39

Number of site notices: 1

Statutory advertisement: 21/07/2023 & 26/04/2024

Number of representations received: 0

No comments 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/St Faiths Conservation Area
- (iii) Impact upon residential amenity
- (iv) Ecology and HRA/AA

(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. The proposal is to vary materials in the Conservation Area and it is therefore necessary to consider whether the changes proposed would preserve or enhance the St Faiths Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(ii) Impact upon the character and appearance of the area/St Faiths Conservation Area

The proposals have been carefully assessed by the Council's Principal Heritage Officer and it is noted that the majority of the works have taken place. It is noted that the following changes to the approved elevations are proposed:

- Alterations to style / design of windows
- Alterations to stone window headers
- Alterations to amount / style of cornicing

To the front elevation (East Street), the ground and third floor render is replaced by brickwork and there are requirements to complete the third floor cornicing (currently not completed), the materials to the window heads are also amended. The rear (north) elevation is unaltered. The east elevation is mainly attached to No.9 East Street and therefore not viewable apart from a small part of the building which is unaltered. Finally the west elevation remains unaltered.

It is noted that the windows proposed are amended from the previously approved Topline UPVC windows in white on the east, north and west elevations to Jeldwen UPVC colour white. The East Street (south elevation) remains as approved in Jeldwen timber in white.

The Principal Heritage Officer has concluded that:

Nonetheless, whilst the design differs from that of the original approved, the newly constructed building is still a vast improvement to what previously existing on the site and has resulted in an enhancement to the conservation area. In general, the build is of a high quality with the use of good stock brick and timber frame sash windows (to the East Street elevation). Therefore on balance, there is no objection to the variations being applied for as part of this application.

It is important to ensure that the third floor cornicing is completed in order to ensure that the development has an acceptable quality in the Conservation Area and a condition is recommended for the completion of these works. Subject to this it is considered that the development would continue to protect and enhance the Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would also accord with policy CS11 of the Havant Borough Local Plan and the NPPF.

(iii) Impact upon residential amenity

The proposed changes in materials are not considered to negatively impact neighbouring residents.

(iv) Ecology and HRA/AA

There is no change in relation to the level of proposed accommodation and HRA/AA requirements from the original consent APP/21/00814 where a unilateral undertaking securing total SRMS and Nutrient contributions of £12,157.27 was secured.

8 **Conclusion**

In conclusion the proposed amendments to the original planning permission APP/21/00814 are considered to have a limited and acceptable impact on the character and appearance of the development and would preserve and enhance the St Faiths Conservation Area.

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00524 subject to the following conditions

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

General Arrangement - Elevations Drawing No. 21/100/BR03 Rev D
Site Plan - 21/100/PO1 Rev A
Location Plan - 21/100/I01 Rev:A
Block Plan - 21/100/B01 Rev: A
Landscaping and hard surfacing 21/100/LS01
Floor Plans 21/100/P02 Rev A
Drainage details 414601.11P2

Reason: To ensure provision of a satisfactory development.

- 2 The materials and finishes shall be as approved under condition 3 of planning permission APP/21/00814 or with regard to the south elevation only shall be as shown on the approved elevation drawing under the planning application hereby permitted. All work shall be carried out in full accordance with such approvals. The remaining section of cornicing to the south elevation shall be completed within 3 months of the date of this planning permission.

Reason: To ensure the materials and finishes are appropriate to this key site within St Faiths conservation area and that the works are completed in accordance with policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 In the event that public sewers are found at any time when carrying out the approved development which were not previously identified, development shall STOP until details of the measures which will be undertaken to protect the public sewer have been submitted to and approved in writing by the Local Planning Authority. Following approval, such measures shall be implemented on site in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the adequate protection of infrastructure having due regard to Havant Borough Local Plan (Core Strategy) policies CS19 and DM10 and the National Planning Policy Framework.

- 4 All windows and doors shall be as approved under condition 9 of planning permission APP/21/00814 or as detailed in the application hereby approved.

Reason: To ensure the detailing is appropriate to this key site within the St Faiths Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The siting and design of any proposed external meter boxes/metal ducting/flues shall be as approved under condition 10 of planning permission APP/21/00814. All work shall be carried out in full accordance with such approval and be retained thereafter.

Reason: To protect the character and appearance of the conservation area in accordance with policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 6 The materials to be used for the surfacing of all open parts of the site (including the pedestrian right of way at the rear of the site) proposed to be hardsurfaced shall be as approved under condition 11 of planning permission APP/21/00814. The development hereby permitted shall not be occupied until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

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

- 7 All external lighting shall be in accordance with the particulars approved under condition 12 of planning permission APP/21/00814. There shall be no external lighting on the site other than as thereby approved.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 The cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 The development hereby permitted shall not be occupied other than in accordance with the details approved in relation to the Water Efficiency condition 14 of planning permission APP/21/00814.

These included the following requirement:

A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and

Furthermore the development shall not be occupied until:

All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 10 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 11 The development hereby approved shall be carried out only in accordance with the construction method statement approved under condition 16 of planning permission APP/21/00814.

Reason: In order that the Local Planning Authority can properly consider the effect of the works on the amenity of the locality in accordance with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 12 In the event that suspected contamination is encountered during groundwork (e.g. obviously contaminated soil / groundwater, or any buried waste materials not assuredly comprising non-harmful construction materials); works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery, and a scheme to deal with the risks associated with the suspected contamination has been submitted to- and approved in writing by- the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1) Reasonable investigation in the vicinity of suspected contamination, sufficient to characterise it's nature, likely extent & mobility,
- 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;
- 3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented as written report. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development, OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Contamination may be present at the site as a result of both previous & current land uses (&/or activities) at the development land and in the vicinity that could pose a risk to future occupants of the development. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 189-191 of the National Planning Policy Framework