

Heritage Team Response

Date – 9/12/21

APP/21/01161 and APP/21/01162 (LBC)

Application description APP/21/01161 – Proposed roof garden at 57 High Street. New fenestration at 57A High Street onto proposed roof garden including 1No rooflight.

Application description APP/21/01162 – Listed building application for proposed roof garden at 57 High Street. New fenestration at 57A High Street onto proposed roof garden including 1No rooflight.

The Site

The application site is a late C18, end of terrace, 3-storey property which is Grade II listed and located on Queen Street in the Emsworth Conservation Area. To the rear of the site is Trentham Cottage which is a Grade II listed building and immediately adjacent is No. 1 King Street which is also Grade II listed.

The building comprises a commercial unit (Chemist) on the ground floor, with a residential flat at first floor towards the front of the building and a series of dilapidated store rooms towards the rear at first floor.

Legislative and Policy Context

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

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 (July 2021) 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:

189. 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.

194. 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.

195. 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.

196. 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.

197. 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.

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Historic England Advice

In addition to the advice laid out in the NPPF, Historic England has published planning advice in the form of Good Practice Advice Notes (GPA's) and Historic England Advice Notes (HEANs). Most relevant to this application will be GPA2 – Managing Significance in Decision Taking in the Historic Environment.

GPA2 states at paragraph 4 - 'The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest'. It also advises that an assessment of significance is required as part of the application process including the understanding of the nature of the significance, the extent of that significance and level of significance. Paragraph 11 states 'to accord with the NPPF, the application will need to undertake an assessment of significance to inform the application process an extent necessary to understand the potential impact (positive or negative) of the proposal and the level of thoroughness proportionate to the relative importance of the asset whose fabric or setting affected'.

Local Planning Policies

Policy CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) 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 CP16 (High Quality Design) (1a) of the Core Strategy states that “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.

Emerging Policy E13 from the Draft Local Plan 2036 provides similar advice to existing Policy CS11, but also adds that where harm cannot be avoided, mitigation may be proportionate to the impact and the significance of the heritage assets and fully incorporated into the development proposals.

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 – Heritage Appraisals

Proposal:

The proposal comprises the removal of the existing store areas at the rear of the first floor and the creation of a roof top garden for the occupants of the flat.

The rear of the building at first floor has undergone some unsympathetic alterations including replacement fenestration, dormer structures and changes to roof materials. It does not positively contribute to the conservation area or views from other heritage assets within its immediate vicinity.

The proposal would result in the removal of these various rear sections and convert this into a roof top garden space. This would be enclosed by a new perimeter wall.. On the rear section of the new wall, the existing windows openings will be retained for intervisibility. New narrow frame double doors are proposed to access the next external space.

Assessment:

The application includes a Heritage Statement which sets out the significance of the heritage assets and the impact of the proposed development on that significance.

The proposal would introduce a large roof top garden following the removal of the various rear sections of the first floor of the building. These sections have already suffered unsympathetic alterations and do not positively contribute to the heritage asset or the conservation area (although they are not highly visible from the public realm).

The introduction of the perimeter wall with the window openings retained, would result in a simple architectural solution following the removal of the store areas. The use of the space as a garden area would not be harmful to the significance of the heritage asset, which is mainly associated with its architectural form towards the front of the building and its historic associations within Emsworth. The introduction of the new double doors would result in the loss of some historic fabric however, this section of already contains a window (not original) so overall the loss is not significant.

Overall, the proposals are not considered cause harm to the significance of the designated heritage asset, or the Emsworth Conservation Area and are in accordance with the relevant legislation and national and local planning policies.

Conclusion – No objection subject to the following conditions:

1. Material samples to be provided (including any details of render finishes)
2. Full scale window / door details to be provided

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