

Listed Building Grade: Grade 2
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Conservation Officer

The Site

The site is an end of terrace, 4-storey residential block of apartments in a building collectively known as Norfolk Terrace or the Crescent at No. 53 Sea Front. It faces onto the Solent. The Crescent is Grade II listed dating back to 1822. It was meant to be a complete crescent shape however, the development was never finished. The terraces were originally large houses however, all have been split into apartments over many years.

Most of the properties have suffered unlawful unsympathetic alterations including UPVC windows and the loss of historic features. No. 53 is one of these properties with the large first floor balcony doors having been changed to UPVc tilt and turn windows.

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.

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.

Proposal: _

Following an enforcement notice on the property, the proposal is to replace the harmful plastic balcony doors with timber frame replacements, mimicking the design of the original doors. These would have featured a top pane and two slim opening doors. The new doors are proposed to be double glazing of the slim line design – 4-6-4.

A further window is also proposed to be replaced on the ground floor with a timber frame, single glazed sash window.

Assessment: _

There has been a long enforcement history with properties on the Crescent and it is encouraging to see an application which seeks to address the harm caused by unsympathetic alterations such as UPVC windows / doors.

The proposal would see the replacement of the UPVC balcony doors with timber frame replacements. These would feature slim line double glazing which normally would not be supported however, given the very exposed nature of the south elevation to the coastline elements, it is considered that an exception can be made in this instance. This has been the case with recent applications within the former Royal Beach Hotel (the adjacent listed building).

One of the two ground floor windows is also proposed to be replaced with a like for like, single glazed, timber framed sash window, with a white painted finish.

Overall the proposals would greatly improve the appearance of No. 53 and remove the harmful, unsympathetic windows which are clearly visible from the front elevation. It is hoped that this will set a precedent for other properties within the terrace to also address such harmful alterations. On this basis the proposal is supported and no objection is raised. The balcony doors are to be finished in white paint and maintained thereafter, this is also the case with the replacement single glazed

Conclusion – No objection**Historic England**

Thank you for your letter dated 22 October 2021 regarding the above application for Listed Building Consent. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are attached.

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request

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: 79

Number of site notices: 1_

Statutory advertisement: 29/10/2021

Number of representations received: 0

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

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria. Since the site affects a Listed Building, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant to the determination of this application requiring special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

(ii) Effect on the Listed Building

7.3 The impact of the proposals, on the character and appearance of the Listed Building has been carefully assessed by the Councils Conservation Officer. It is noted that generally the works for the provision of slim line double glazing to the replacement timber doors would not normally be considered to positively contribute to the restoration of the building and could result in harm to the visual impact. However, given the very exposed nature of the south elevation to the coastline elements, it is considered that an exception can be made in this instance therefore the proposal is supported.

7.4 One of the two ground floor windows is also proposed to be replaced with a like for like, single glazed, timber framed sash window, with a white painted finish. It is considered that the proposal would greatly improve the appearance of No. 53 and remove the harmful, unsympathetic windows which are clearly visible from the front elevation. On this basis the proposed replacement windows are acceptable, and the Conservation Officer has no objection to these works.

7.5 The proposals are therefore considered to be acceptable, meeting the requirements of Policies CS11, CS16 and DM20 of the HBLP (Core strategy).

8 Conclusion

8.1 The provision of replacement window and French doors to the south facing elevation would preserve the character of the listed building. It is therefore considered to be acceptable and is recommended for listed building consent to be granted, subject to conditions

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT LISTED BUILDING CONSENT** for application APP/21/01094 subject to the following conditions

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building and Conservation Areas) 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:

Application Form - Received 20 October 2021
Design, Access and Heritage Statement - Received 20 October 2021
Location Plan - Received 20 October 2021
Existing Doors - Drawing No. 9010 - Received 20 October 2021
Existing Floor Plans - Drawing No. 9013 - Received 20 October 2021
Proposed Doors - Drawing No. 9011 - Received 20 October 2021
Proposed Floor Plans - Drawing No. 9014 - Received 20 October 2021
Proposed Elevations - Drawing No. 9012 - Received 20 October 2021
South Elevation Photo - Received 20 October 2021
Window information - Received 15 November 2021

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, 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 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.