

Planning, Design and Access Statement

East Leigh House, Bartons Road, Havant, PO9 5NA



18 May 2021

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Contents

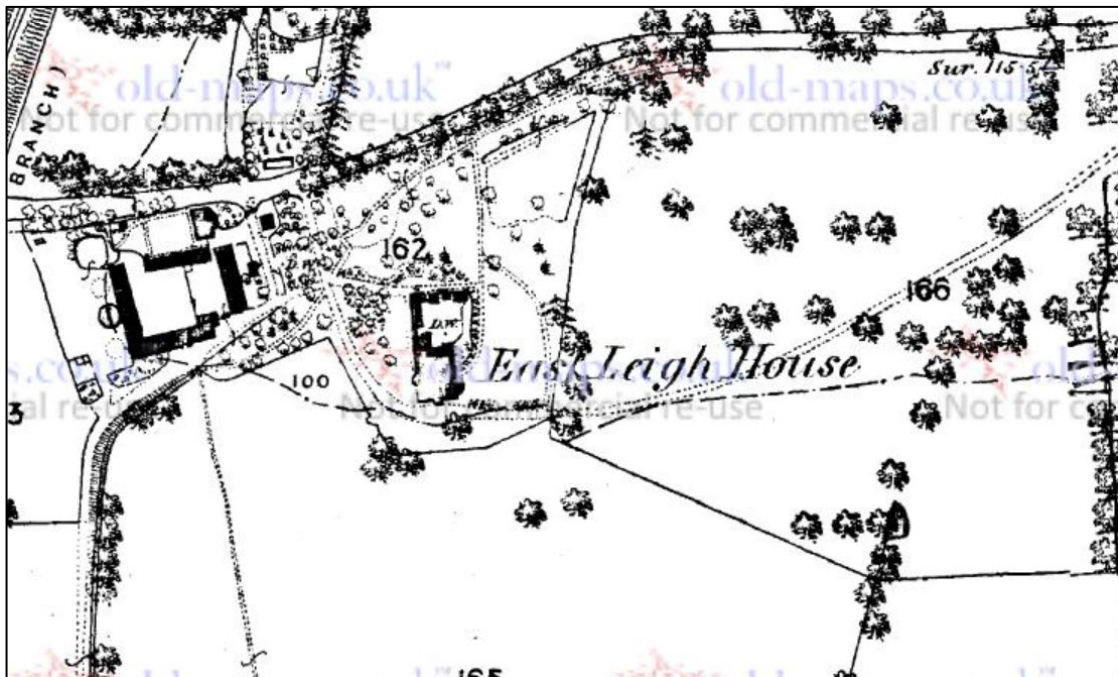
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1 Aerial Photograph



2 Introduction

- 2.1 This statement has been prepared by Wessex Planning Ltd on behalf of Ibex Homes Ltd in support of a planning application for East Leigh House, Bartons Road, Havant, PO9 5NA.
- 2.2 East Leigh House was originally built for a gentleman farmer and positioned to be appreciated in views not only from the more formal setting provided by the gardens surrounding the site, but also from the farmer's surrounding farmland. In turn the gentleman farmer could purvey all that he owned from the house, enjoying the long range rural views over his land. (See the 1867 map below).



- 2.3 This setting was preserved until 2017 when, unfortunately, East Leigh House suffered a complete denigration of its original setting through the development of a large and modern housing estate on the farmland to the south. A permission for 9 dwellings within the gardens to the north of the dwelling, albeit high quality, completed the loss of the original setting.
- 2.4 The significance of the Listed Building was originally derived not only from its architectural interest but also from its original setting. The Listed Building has therefore suffered harm as a result.
- 2.5 This planning application is for landscaping works to replace and enhance the current denigrated setting to include a historically appropriate and refined enclosure of the remaining eastern garden with a short terrace of three single storey dwellings along the south side of the east garden, appearing as an original 'converted outbuilding', joined to the original house by a new curved wall. As such, a new and altogether more refined, intimate and enclosed setting can be achieved for the original eastern garden, screening the remaining garden from the very open and intrusive views from the modern housing development to the south.

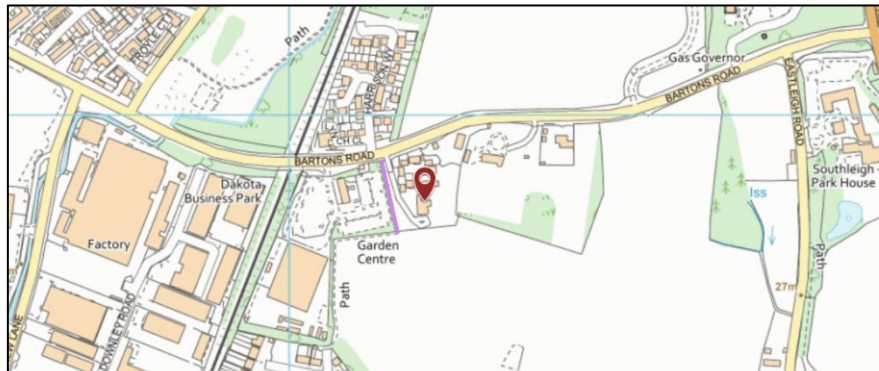
2.6 The occupation of the 3 single storey dwellings is proposed to be restricted to persons over 55 years of age. They would also be designed as wheelchair accessible dwellings for which there is an evidenced need within the Borough of Havant.

2.7 The submission includes the following:

- Application form and Ownership Certificate
- Location Plan
- Block Plan
- Proposed Floor Plans
- Proposed Elevations
- Heritage Statement

3 Site Context and History

3.1 The site is located to the southern side of Bartons Road in Havant.



3.2 The house itself is a Grade II listed building, listed in 1952, that was built as a residential dwelling in the early 19th Century and appears to have been part of a larger farmstead in the 18th Century. Currently, East Leigh House is being converted from business use back to residential use as individual flats with shared amenity space.

3.3 East Leigh House is set well back from Bartons Road and is accessed via a driveway that extends along the western boundary and swings round to the south elevation ending in a 'pear drop' shaped parking area immediately adjacent to the original and current main entrance to the house.

3.4 The significance of East Leigh House is not derived solely from its architectural interest but also its contextual setting surrounded by arable land owned by the gentleman farmer.

3.5 Historically, the setting of East Leigh House was designed to be both appreciated from, and to take advantage of, the long rural views of the former arable farmland to the south and east, which could be appreciated up from at least 1867 (see historic map above) to as recently as 2017. More formal gardens were located to the north and east of the original house including a 'sunken garden' to the east which has been removed as a result of spoil from surrounding developments and the introduction of sub-surface drainage crates installed as part of the sustainable urban drainage infrastructure for the development to the north.



Site in 2017

- 3.6 The gardens to the north of East Leigh House have been replaced with the development of 9 dwellings. The rural setting to the south has been replaced with a modern housing estate of 175 dwellings. These developments have combined to cause harm to the Listed Building as a result of the significant detrimental impact upon its setting.





View from eastern garden
looking north towards
development of 9 houses.

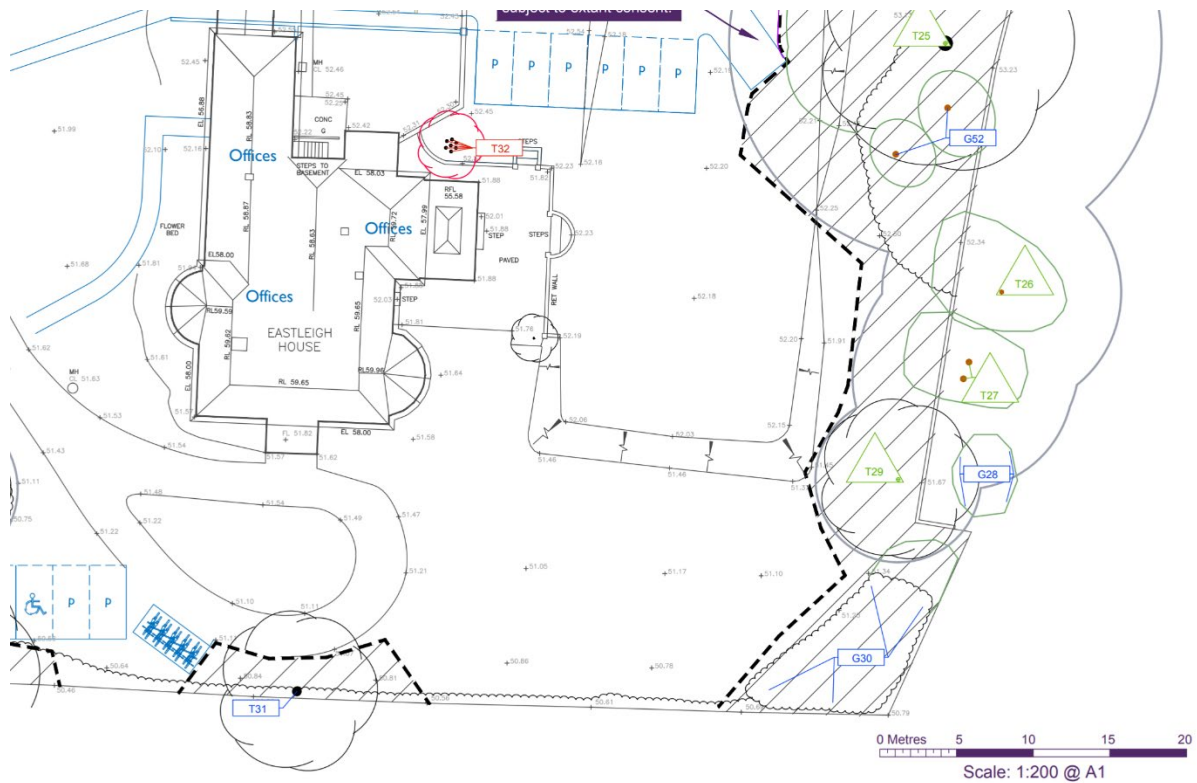


View from eastern
garden looking east
towards neighbouring
property, 'Helmsley'.



View from eastern garden
looking west showing
mound of spoil.

3.7 As the tree protection plan from the previous application shows, there is almost no screening of the modern housing development from the eastern garden and what was once the wider setting of the Listed Building i.e. open farmland has been destroyed.



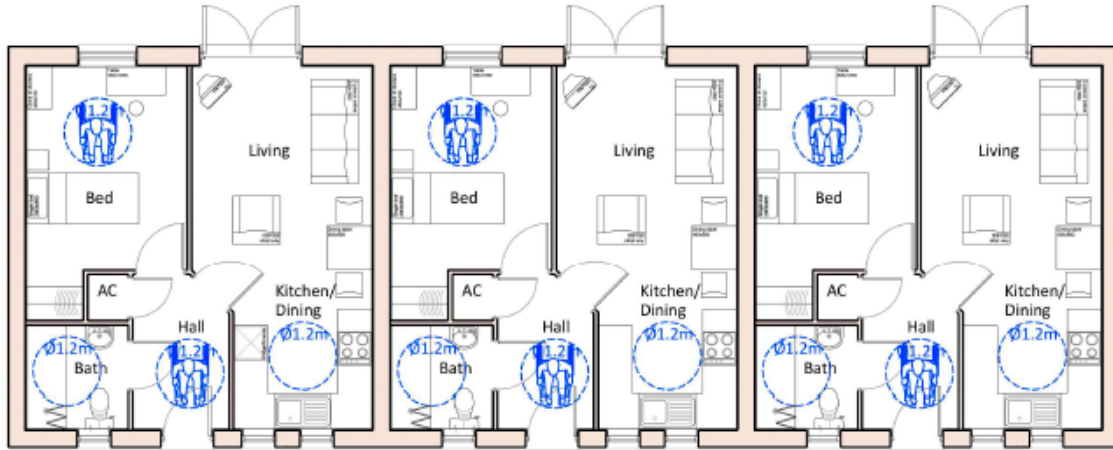
3.8 The site is located within 15 minutes walk of the local amenities (Dobbies Garden Centre, Bartons Green public open space, One Stop convenience store) and slightly further afield, the town centre of Havant has a wide range of facilities.

3.9 The planning history relating to this site is detailed below;

- 98/57258/001 | Conservatory to east elevation | Application Withdrawn | Thu 07 Jan 1999
- 98/57258/002 | Listed Building Application for internal alterations, demolition of outbuilding and conservatory to east elevation | Application Withdrawn | Thu 07 Jan 1999
- 99/57258/003 | Single storey side extension to east elevation (revised application) | Grant perm/consent/certify lawfulness | Thu 27 May 1999
- 99/57258/004 | Listed Building Application for internal alterations, demolition of outbuilding and erection of single storey side extension to east elevation (revised application) | Grant perm/consent/certify lawfulness | Thu 27 May 1999
- APP/15/01103 | Conversion of Eastleigh House from single C3 dwellinghouse to B1 offices and two C3 dwellinghouse along with the erection of a two storey extension to provide a further single C3 dwellinghouse, plus the construction of a courtyard development of 10 terraced houses, including landscaping, parking and turning areas. | Grant perm/consent/certify lawfulness | Fri 04 Mar 2016
- APP/15/01104 | LBC for the Conversion of Eastleigh House from a single dwellinghouse to B1 offices and two dwellinghouse along with the erection of a two storey extension to provide a further single dwellinghouse including landscaping, parking and turning areas. | Grant perm/consent/certify lawfulness | Fri 04 Mar 2016

- APP/16/01077 | Residential development to provide 9 dwellinghouses along with the continued use of Eastleigh House as Class B1(a) offices and the demolition of outbuildings to the rear of the building.(approved 21.01.17) Request to discharge condition No.s 2,5,6,7,8,9,and 14 (26.05.17). Request to discharge condition No/s 2,5,6,7,8, 9,13 and 14 (15.01.18). Request to discharge condition No.3 and 16 (07.02.18). Request to Discharge Conditions 5 and 14 (20.06.2018). | Grant perm/consent/certify lawfulness | Fri 27 Jan 2017
- APP/16/01078 | Listed Building Consent for residential development to provide 9 dwellinghouses along with the continued use of Eastleigh House as Class B1(a) offices and the demolition of outbuildings to the rear of the building. | Grant perm/consent/certify lawfulness | Fri 27 Jan 2017
- APP/18/00492 | Application for Non-material change to Planning Permission APP/16/01077 relating to substitute brick samples and removal of brick quoining to elevations. | Grant perm/consent/certify lawfulness | Thu 14 Jun 2018
- APP/18/00894 | Erection of 1No. 3bed dwelling including landscaping and parking.(18.01.19). Request to discharge condition No.s 3,5,6,9,10 and 13. (09.04.19). | Grant perm/consent/certify lawfulness | Fri 18 Jan 2019
- APP/19/00156 | Internal alterations to allow conversion from offices (class B1(a)) to form 6No one bed flats (C3 residential units) (Approved 12/09/2019). Request to Discharge Conditions 7, 8a), 9 and 11 (28.01.2020). [Note: Grampian Condition applies, contact LPA for details] | Grant perm/consent/certify lawfulness | Thu 12 Sep 2019
- APP/19/00157 | Listed Building Consent for internal alterations to allow conversion from offices (class B1(a)) to form 6No one bed flats (C3 residential units) (Approved 12/09/2019). Request to Discharge Condition 6 (28/01/2020). | Grant perm/consent/certify lawfulness | Thu 12 Sep 2019
- APP/20/00366 | Provision of 5no. 1 bedroom retirement bungalows. | Appeal lodged | Refuse perm/consent / refuse lawfulness | Fri 20 Nov 2020

- 4.5 The internal layout has been designed very carefully to provide 1 bedroomed accommodation that is sufficiently sized for a wheelchair but not so large as to make manoeuvring difficult. Each dwelling would have an open plan kitchen/dining/living area, a single bedroom, a shower room and a separate hallway.



- 4.6 Each dwelling is designed for just one person. However, with each single person's dwelling located within a terrace of three and with shared communal space, the opportunity for social discourse is available.

Scale and External Appearance

- 4.7 The building has been architecturally designed to be in sympathy with the refined regency period frontage of the Listed Building, and appear as if it were a garden outbuilding built at the same time as the main house.
- 4.8 With yellow brick and low grey slate roof, the building also mirrors the materials and is in harmony with the main house.
- 4.9 Detailing will include an overhanging element to the rear (facing the communal garden) supported by ornamental metal brackets and metal colonnades. A dovecote on the roof is also proposed and is historically appropriate.



- 4.10 As Historic England's 2011 Listing Selection Guide on Garden and Park Structures notes (on page 5 in relation to early nineteenth century gardens):

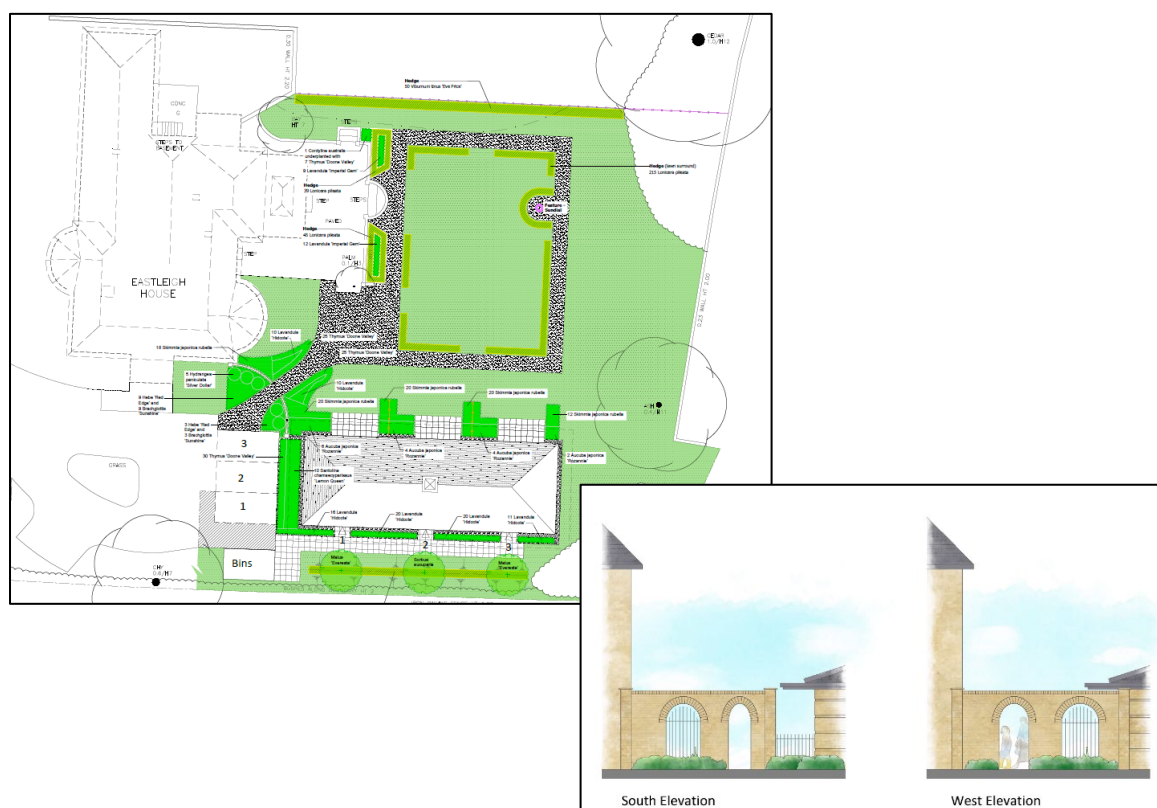
"Whilst landscaped parks of this sort are generally associated with great country houses, even a modest gentleman's house, rectory, or merchant's villa might be set in an informal few acres of grass and specimen trees defined (at least to the front) by an imposing wall and with some form of summerhouse to provide shelter. "

- 4.11 The proposal looks to recreate and emulate the lines of the former sunken garden (see below) making a feature of the large Cedar tree viewable to the north-east whilst enclosing what is left of the original garden area with a garden wall and 'outbuilding' to make a truly intimate and protected shared space.

- 4.12 The terrace would have a height of 4m to the roof ridge, a width of 7.2m and a combined length of 19.6m.

Landscaping

- 4.13 The landscaping of the eastern garden is a key element of the scheme that works with the new 'outbuilding' to replace the current denigrated setting of the Listed Building and provide an enhanced and enclosed new one.



- 4.14 The landscaping principles seek to emulate the previous 'sunken lawn' with a scheme that is as simple as it is effective. From the arch in the garden wall, a bound gravel path would lead around a formal rectangular lawned area edged with hedging. A feature sundial designed to lead the eye from the entrance to the garden would be positioned within the north-eastern corner.

- 4.15 Ornamental plants would be positioned in two beds either side of the steps and planted borders would be positioned around the entrance to the garden and around the new 'outbuilding' itself. 3 new trees would be planted on the southern boundary – a Rowan and two Cherry trees within a new hedge that bounds the pathway from the parking area to the front of the dwellings.
- 4.16 With the new garden wall, the brick of the new 'outbuilding' and the existing eastern wall, the new garden will take on features of a historically appropriate enclosed and walled garden.

Access

- 4.17 Access to the dwellings is provided by the existing access serving East Leigh House which extends from Bartons Road, along the western boundary, sweeping round to the southern elevation of East Leigh House. Parking would be provided within this existing driveway.
- 4.18 Pedestrian and wheelchair access to the front doors of each dwelling would be provided by a level access path leading from the car parking area to front doors to the southern side of the building.
- 4.19 Pedestrian and wheelchair access to the new 'walled' garden and the rear of the 3 dwellings would be provided on a level access path through a wide archway in the new garden wall which links the main house to the 'converted outbuilding'.

5 Policy Context

- 5.1 The policy context for Havant Borough Council is contained within the Local Plan (Core Strategy) adopted March 2011 and the Local Plan (Allocations) adopted July 2014, together with the National Planning Policy Framework. The emerging Local Plan was submitted for examination on 12th February 2021 and therefore carries limited weight.



5.2 CORE STRATEGY:

Policy CS9 Housing

"Planning permission will be granted for housing proposals that will: -

1. *Contribute to achieving a net total of 6,300 new dwellings between 2006 and 2026.*
2. *Deliver on average 30-40% affordable housing on sites of 15 dwellings (gross) or more and secure a suitable contribution, or on-site provision, equivalent to on average 30-40% on smaller housing developments between 5 and 14 dwellings (gross), unless a lesser requirement has been transparently justified on viability grounds.*
3. *Ensure **mixed communities are created** through the planned distribution and avoidance of a concentration of affordable housing.*
4. *Achieve a **suitable density of development for the location**, taking into account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form.*
5. *Provide a **mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities.***
6. *Provide accommodation for the ageing population in sustainable locations, taking account of the need to provide for a variety of care needs and flexibility to accommodate differing requirements of ageing care.*
7. *Contribute to achieving 450 extra-care dwellings between 2006 and 2026.*

8. *Ensure housing development is delivered in a phased manner with an appropriate proportion of previously developed land so as to avoid unnecessary development on greenfield urban extension sites."*

Policy CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough

"Planning permission will be granted for development that:

1. *Ensures the key landscape and built form principles set out in the Havant Borough Townscape, Landscape and Seascape Character Assessment are protected and where possible enhanced by partnership working with developers, groups and the wider community.*
2. *Protects and where possible enhances the borough's statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest. Protection and enhancement will be achieved by appropriate adaptation and mitigation measures including wardening, education and information and the creation of new habitats, water bodies/courses planting of new trees and woodland.*
3. *Has particular regard to the following hierarchy of nature conservation designations within the borough (as identified on the Proposals Map):*
 - i *Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar [International].*
 - ii *Sites of Special Scientific Interest (SSSI) and National Nature Reserves [National].*
 - iii *Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), other Ancient Woodland not identified in (ii) above [Local].*
4. ***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.***
5. *Supports an ongoing programme of survey of habitats and species and designation of Sites of Importance for Nature Conservation.*
6. *Incorporates partnership working with conservation organisations to improve public understanding of biodiversity and to manage public access to designated sites, particularly on the coast, to reduce harm to nature conservation interests.*
7. ***Incorporates partnership working with landowners and developers to ensure land management practices restore, enhance and where appropriate create new valued landscapes, habitats and their soil structure, particularly the ancient woodland remnants of the Forest of Bere and coastal salt marsh.***
8. *Protects wildlife habitats and wildlife corridors to prevent the fragmentation of existing habitats and to allow species, for example Brent Geese, to respond to the impacts of climate change by making provision for habitat adaptation e.g. coastal managed realignment and species migration.*
9. *Maintains undeveloped gaps between the settlements of Emsworth/Havant; Havant/Waterlooville; Havant/Portsmouth; Emsworth/Westbourne and Leigh Park/Rowlands Castle as shown on the Proposals Map.*
10. *Protects the best and most versatile agricultural land that has the greatest potential for local food security.*
11. *Responds to the emerging evidence from the Solent Disturbance and Mitigation Project, the published recommendations, and future related research."*

Policy CS16 – High Quality Design

"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:

1. ***Responds to, draws inspiration from and respects local context and:***
 - a) ***Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;***
 - b) *Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;*

- c) *Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;*
 - d) *Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and*
 - e) *The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*
- 2. Produces a positive relationship between buildings, street and spaces both existing and proposed, where:**
- 1. *The layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;*
 - 2. *New streets are not dominated by vehicular traffic;*
 - 3. *The layout of the development is legible, meaning it is easy to orientate oneself and move through.*
 - 3. *Contributes to the improvement of the public realm close to the development, particularly sites close to town, district and local centres and other priority regeneration areas by using high quality hard and soft landscape material and street furniture; and where development is of a significant scale or prominence makes provision for public art.*
 - 4. *Is inclusive by considering the needs of those with disabilities, ensuring safe and convenient access for all; and integrating affordable and supported housing with market housing through tenure blind design to minimise social exclusion and promote social integration.*
 - 5. *Maximises opportunities for mixed use developments, particularly in town and district centres; and encourage higher densities (50+ dwellings per hectare) where appropriate.*
 - 6. *Mitigates negative environmental impacts through sustainable design and construction methods, resource efficiencies, particularly water and the provision of facilities for waste recycling.*
 - 7. *Adapts to the changing needs of the users and the changing climate over the lifespan of the building."*

Policy CS17 Concentration and Distribution of Development within the Urban Areas

"Development will be permitted that makes the most effective use of land in the borough by granting planning permission that:

- 1. *Concentrates new housing, employment, retail, leisure and other development within the five urban areas of Havant, Leigh Park, Waterloo, Emsworth and Hayling Island, as shown on the Proposals Map.*
- 2. *Prioritises development on previously developed land, including redundant, derelict or underused land and buildings within the urban area.*
- 3. *Broadly distributes the new housing and employment development in the five areas of the borough as indicated on the Spatial Distribution Map (Key Diagram).*

Development in the non-urban areas will only be permitted if it is consistent with the policies for the countryside set out in national policy."

DM7 Elderly and Specialist Housing Provision

"Within the defined urban areas development specific to the requirements of the elderly, people with disabilities or other forms of specialised supported housing provision will only be permitted provided that the following relevant criteria are met:

- 1. *It is demonstrated that appropriate levels of on-site amenity space are accessible for residents' use which provides a satisfactory outlook for all residents.*
- 2. *A setting for the building is provided which is in keeping with the surrounding area.*
- 3. *Sufficient space for servicing is provided.*
- 4. *Services that may generate noise and disturbance (such as laundry rooms, kitchens and refuse storage) are located and designed to avoid undue disturbance to the amenities of neighbouring properties.*
- 5. *The development would not result in a concentration of such uses in one of the five areas of the borough or an over-concentration within each of these areas.*

Outside the defined urban areas, proposals for sheltered housing, facilities for the active elderly and for people with disabilities will only be permitted where the development involves an extension to existing facilities.

Lifetime Homes and Extra Care Housing that will contribute to the provision of accommodation for the ageing population will be encouraged providing they comply with all other relevant policies."

DM8 Conservation, Protection and Enhancement of Existing Natural Features

*"Development will only be permitted where it protects and **enhances** local habitats and **landscape distinctiveness**, and which addresses all of the relevant criteria as set out below:*

- 1. Protects natural features of nature conservation and/or amenity importance on the site, for example trees, woodlands, hedgerows, soils, streams, stream corridors, springs, ditches or ponds from damage, destruction and a deterioration in quality.*
- 2. **Sympathetically incorporates existing features into the overall design of the scheme including measures taken to ensure their continued survival.***
- 3. **Provides new landscape works that integrate successfully with the local environment and existing natural features, using local materials and plant species and making provision for future maintenance of new landscape works associated with new developments.***
- 4. Ensures sequences of greenspaces are maintained and protects the attractiveness and visual amenity of all green open spaces that contribute to the identity of the borough."*

DM13 Car and Cycle Parking on Residential Development

"Residential development will only be permitted where it provides car parking and cycle storage in accordance with the standards set out in the Residential Car Parking and Cycle Provision Supplementary Planning Document."

5.3 LOCAL PLAN (ALLOCATIONS) DOCUMENT:

Policy AL1 Presumption in Favour of Sustainable Development

"When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this local plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- 1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or*
- 2. Specific policies in the NPPF indicate that development should be restricted."*

Policy DM20 Historic Assets

*"Planning permission will be granted for development that conserves and **enhances the historic assets of Havant Borough.***

*Applications that 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."***

Policy DM24 Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

“Planning permission will be granted for residential developments that avoid or mitigate a likely significant effect on the SPAs, caused by recreational disturbance through the in-combination effect of net additional dwellings. This mitigation can be provided through:

- a) A financial contribution.*
- b) A developer provided package of measures associated with the proposed development designed to avoid or mitigate any significant effect on the SPAs subject to meeting the tests of the Habitats Regulations.*
- c) A combination of measures in (a) and (b) above.*

Where these measures cannot be provided development proposals will be refused, unless the applicant can show, subject to meeting the tests of the Habitats Regulations, that there would not be an adverse effect on the integrity of the SPAs.

The provisions of this policy do not exclude the possibility that some residential schemes, due to their size/and or location, may require individual assessment under the Habitats Regulations on advice from Natural England and additional site specific avoidance or mitigation measures.”

5.4 SUBMISSION LOCAL PLAN:**IN3 | Transport and parking**

“Development proposals will be permitted, provided that the site is designed so that:

- a. Safe and suitable access to the site is provided for all people and modes of transport;*
- b. Sustainable modes of travel are encouraged and supported through on and/or off-site measures;*
- c. The site layout encourages lower vehicle speeds, and prioritises the safe and convenient movement of pedestrians and cyclists within the site;*
- d. Pedestrian and cycle routes are provided which conveniently reach all parts of the site, and link with the wider network beyond the site, providing a high level of permeability;*
- e. Any existing public rights of way are safeguarded and where appropriate improved, and new routes provided where appropriate;*
- f. The streets and public and private parking areas contribute positively to the design of the development and deliver a high quality public realm, including the use of high quality materials and integration of landscaping;*
- g. Sufficient visibility and lighting is provided for the safe and convenient use of the roads, cycle routes, walking routes and parking places;*
- h. Adequate provision is made for varying sizes of vehicles, including refuse and emergency vehicles, to access all parts of the site, park, load, unload and turn safely and conveniently;*
- i. Provision is made for the parking of cars, motor cycles and cycles in line with Council standards;*
- j. Electric Vehicle charging infrastructure is provided for:*
 - i Each new residential unit with private off-street parking;*
 - ii An appropriate number of spaces in shared parking at residential and commercial development where long-term parking for staff or residents is provided.*
- k. Where required, a satisfactory Transport Statement or Transport Assessment is submitted in support of the planning application to evaluate transport impacts, and to demonstrate that proposed transport improvements will meet the needs of the development and mitigate adverse impacts;*
- l. The traffic generated by the development, taking into account any proposed avoidance and mitigation measures, would not result in severe cumulative impacts on the transport network or the environment;*
- m. A Travel Plan is provided in support of a planning application where appropriate in relation to the scale and type of development.”*

E1 | High quality design

“Planning permission will be granted for development that:

- a. **Is designed to a high standard, which helps to create places where people want to live, work, visit and enjoy;***
- b. Demonstrates that neighbourhood plans, local design statements, and the design elements of conservation area appraisals which identify local character and distinctiveness have been taken into account;*
- c. Demonstrates that it:*
 - i **Responds to, and draws inspiration from its local context and where appropriate, forges a new sense of place through design;***
 - ii Considers characteristics such as height, massing, existing building lines, plot widths and depths and proportions of building features such as windows and doors;*
 - iii **Identifies and positively responds to existing natural and built features including listed buildings,** conservation areas and other heritage assets within or close to the development;*
 - iv Makes a positive contribution to the overall appearance of the street scene and wider area by use of good quality materials of appropriate scale, profile, finish, colour and durability;*
 - v **Produces a positive relationship with and between existing and proposed buildings, streets and spaces;***
 - vi **Avoids over-dominance and does not cause unacceptable harm to the amenity of neighbours through overshadowing, massing, the loss of privacy, outlook, overlooking, and through odour, noise or disturbance;***
 - vii **Reduces opportunities for crime and anti-social behaviour and contributes to the creation of safe and inclusive communities; and***
 - viii **Integrates with existing local landscape and biodiversity features and characteristics of the area, by using high quality landscaping.***
- d. Demonstrates that any adverts, signage, lighting and other security features are fit for purpose, fully integrated with the design, and do not adversely affect the visual amenity of the street scene or the amenity of neighbours.*

In addition, and where appropriate to the scale and nature of the development, all non-householder development which will create new floorspace is expected to:

- e. Provide a variety of design styles and types to create interest and a sense of place;*
- f. Ensure the layout is appropriate in density, scale, and appearance, and provides safe and convenient access for all users;*
- g. Incorporate new technologies and construction methods as part of building design, taking into account sustainability and resource efficiency;*
- h. Be well connected to and fully integrated with the local area by linking existing pedestrian and cycle routes and encourage people to use public transport where possible;*
- i. Make optimal use of land and does not undermine the development potential of adjacent sites;*
- j. Include public realm and landscaping which is well designed, durable and consistent across the extent of the development site or key project area; and*
- k. Incorporate safe, secure and convenient provision for cycle storage and refuse and recycling facilities which is integrated within the overall design.”*

E13 | Historic environment and heritage assets

“Proposals affecting heritage assets Heritage assets are an irreplaceable resource and consequently great weight will be given to their conservation. Development proposals should, in the first instance, avoid any harm to or loss of the significance of assets and any harm or loss considered unavoidable will require clear and convincing justification, irrespective of the level of that harm.

Accordingly, development proposals will be permitted which:

- a. *Protect, conserve and, where possible, enhance the significance, and ability to appreciate that significance, of designated and non-designated heritage assets and the contribution they make to local distinctiveness and sense of place; and***
- b. *Make sensitive use of heritage assets, especially those at risk, through regeneration and re-use, particularly where redundant or underused buildings are brought into an appropriate use.***

Proposals likely to cause ‘substantial harm’ to the significance of a designated heritage asset

Development proposals that are likely to cause ‘substantial harm’ to the significance of designated heritage assets (either directly or indirectly, by being within their setting) will only be permitted where either:

- c. *Harm is shown to be unavoidable and is minimised and it is clearly and convincingly demonstrated that the proposal is necessary to achieve substantial public benefits that cannot be achieved otherwise, and which would outweigh the harm or loss; or***
- d. *All of the following circumstances apply:***
 - i *The nature of the heritage asset prevents all reasonable uses of the site; and***
 - ii *No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and***
 - iii *Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and***
 - iv *Harm or loss is outweighed by the benefit of bringing the site back into use.***

Proposals affecting the significance of a non-designated heritage asset

Development proposals that would have an effect on the significance of a non-designated asset will be determined having regard to the scale of any harm or loss and the significance of the heritage asset.

Proposals for the removal of part or all of a heritage asset

The removal of part or all of a heritage asset will only be permitted where it can be demonstrated that the approved replacement development will take place.”

E16 | Recreation impact on the Solent European Sites

“Planning permission will be granted for new dwellings and/or overnight accommodation that mitigates the likely significant effect on the Solent European Sites. This mitigation can be provided through either:

- a. *A financial contribution consistent with the Solent Recreation Mitigation Strategy (SRMS); or***
- b. *A developer provided package of measures associated with the proposed development supported by evidence that it will avoid or mitigate any likely significant effect; or***
- c. *A combination of measures in (a) and (b) above.***

Where these measures cannot be provided development proposals will be refused, unless the applicant can show, subject to meeting the tests of the Habitats Regulations, that there would not be a likely significant effect on the Solent European Sites either alone or in combination with other plans or projects.”

EX1 | Water Quality impact on Solent European Sites

“New dwellings and/or development resulting in a net gain in overnight accommodation which would cause a likely significant effect on the designated sites will need to provide a nutrient budget.

Planning permission will only then be granted if a mitigation package is provided which will remove the likely significant effect. This mitigation can be provided through either:

- a. *A financial contribution towards the Council’s strategic mitigation package; or***
- b. *A developer provided package of measures associated with the proposed development supported by evidence that it will avoid or mitigate any likely significant effect on the Solent European Sites; or***
- c. *A combination of measures in (a) and (b) above.***

Where these measures cannot be provided development proposals will be refused, unless the applicant can show, subject to meeting the tests of the Habitats Regulations, that there would not be a likely significant effect on the Solent European Sites either alone or in combination with other plans or projects.”

E22 | Amenity and pollution

“Development proposals will be permitted where:

- a. Projected levels of noise, odour, vibration, light, water or air pollution do not have a likely significant negative effect on the amenity of existing and future users of the site, nearby occupiers or the wider environment; or*
- b. Measures are provided which are suitable for the purposes intended and will ensure that any likely significant negative effect on receptor(s) are mitigated to an acceptable level.”*

H1 | High quality new homes

“Residential development will be expected to include the provision of:

- a. New homes which meet appropriate internal space standards; and*
- b. Sufficient private and/or communal outdoor amenity space; and*
- c. 30% of dwellings designed to enhanced accessibility and adaptability standards across all tenures on developments of 10 houses (gross) or more; and*
- d. In addition to c), 2% of dwellings designed to wheelchair accessibility standards as part of the affordable housing provision on developments of 50 homes (gross) or more.*

Private outdoor amenity space should be:

- e. Of a sufficient and functional size to meet the needs of the likely number of occupants; and*
- f. Designed to provide a good level of amenity by maintaining a reasonable degree of separation between the new dwellings and the surrounding properties.”*

6 Other Material Considerations

NATIONAL PLANNING POLICY FRAMEWORK

- 6.1 The revised NPPF (February 2019) 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:

*“184. 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.***

189. 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.

190. 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.

192. 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.***

193. 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.

194. 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.”*

PLANNING PRACTICE GUIDANCE

- 6.2 The Practice Guidance for planners states, in its consideration of the setting of a heritage asset and how this can be taken into account by Local Planning Authorities:

*“The setting of a heritage asset is defined in the Glossary of the National Planning Policy Framework. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. **The setting of a heritage asset and the asset’s curtilage may not have the same extent.***

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

They may also need to consider the fact that developments which materially detract from the asset’s significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.”

- 6.3 The Practice Guidance for planners states, in its consideration of Housing for older and disabled people:

“The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of

accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.”

6.4 In its definition of specialist housing for this group it defines particular types of housing including:

“Age-restricted general market housing: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.”

6.5 In its section on inclusive design it states:

“Design principles such as those set out in the HAPPI report are applicable to housing for older people and age-friendly places including:

- Integration with the surrounding context*
- Social spaces that link with the community*
- Space standards that facilitate flexibility*
- Enhanced natural light*
- Priority for pedestrians in outdoor spaces”*

7 Planning Assessment

PRINCIPLE

- 7.1 The principle of development within an urban area is acceptable as per Policy CS17 of the adopted Core Strategy.
- 7.2 The principle of development within the setting of a listed building requires careful consideration.
- 7.3 This consideration has begun with a consideration of the significance of the Listed Building and the contribution that the original setting made to this significance, and whether the surrounding recent development has harmed the listed building through the denigration of its setting.

SIGNIFICANCE OF LISTED BUILDING AND CONTRIBUTION OF SETTING

- 7.4 The submitted heritage statement (as required by the adopted Allocations Document policy DM20) describes the elements of the building that contribute to its significance.
- 7.5 These include not only the distinctive historic elements of the building itself but also the previous formal and private gardens and the ‘enclosure of the setting of the house by the surrounding trees which form a landscape backcloth’.
- 7.6 Therefore, an important element of the significance of the building, in addition to its wider setting with the farmland owned by the original occupant of the dwelling was the “enclosure” of the formal gardens surrounding the house (its immediate setting).
- 7.7 However, a key part of the southern boundary has never provided enclosure and was designed to allow views from the house over the arable farmland owned by the original occupant.
- 7.8 This is important in considering the contribution of this part of the setting to the significance of the Listed Building itself.
- 7.9 As the eastern garden is now fully open to clear and very intrusive views of and from the modern housing estate to the south, a key element of this original setting has been destroyed. In turn, the significance of the Listed Building itself has been significantly harmed, as it derives part of its significance from both its enclosed immediate setting but also the original views from and to the wider setting within arable farmland.
- 7.10 The spatial relationship between arable farmland and the gentleman farmer’s house has been lost and, as a result of the full and open intervisibility between gardens and modern housing estate, this negative spatial relationship is very harmful to the Listed Building.
- 7.11 The photographs above and on the next page give an explicit visual demonstration of the damage the modern housing estate has caused to the setting of the listed building in views from its eastern gardens.



HOW PROPOSAL POSITIVELY CONTRIBUTES TO ENHANCEMENT OF SIGNIFICANCE OF LISTED BUILDING

- 7.12 In any site visit, or from the photograph above, it is inarguable that the modern housing estate has visually intruded on the original setting of the Listed Building, damaging it and leading to harm to the building itself.
- 7.13 By creating a new and historically appropriate setting which seeks to borrow from the original immediate setting's characteristics of 'enclosure', the significance of the Listed Building itself can only be enhanced.
- 7.14 Whilst a simple row of trees along the southern boundary could have assisted in this sense of enclosure, this is considered an insufficient treatment for a Listed Building of this quality and was not required by the Local Planning Authority in any previous application in any case. Additionally, this would not have assisted with the noise of coming and goings from the adjacent road and parking area fully visible within the modern housing estate on this boundary.
- 7.15 A much more substantial enclosure is required.
- 7.16 The construction of an 'outbuilding' provides this enclosure. Its use as 3 wheelchair-accessible single person retirement dwellings also allows the existing mound of spoil to be removed and for an historically appropriate landscaping scheme including a garden wall linking the outbuilding to the main house, to be included. As such the proposal provides a new high quality sense of enclosure for the formal east garden.

- 7.17 With the accompanying simple but highly effective landscaping works that draw on the geometry and layout of the original 'sunken' garden, the sense of enclosure that the new 'converted outbuilding' and garden wall brings to the setting of the house, is reinforced.
- 7.18 As such, the proposal both protects and enhances the setting of the heritage asset through the creation of a historically appropriate new immediate setting, in particular accordance with Point 4 of adopted plan Policy CS11. In giving permission for the new building and landscaping works, the Local Planning Authority is able to demonstrate that it is working in partnership with the developer to 'create a new valued landscape', again in particular accordance with Point 7 of adopted plan Policy CS11
- 7.19 A positive opportunity is created, as envisaged by the adopted Allocations Plan document policy DM20, to enhance the setting of this heritage asset.
- 7.20 The submitted plan at Policy E13 also states that a positive approach will be taken towards proposals that enhance heritage assets.

HIGH QUALITY DESIGN

- 7.21 The sign of quality in design is the extent to which the existing site constraints and opportunities have been taken into account in the design evolution of a scheme.
- 7.22 The opportunities for high quality design on this site significantly outnumber the constraints. Whilst the tree canopies, the mound of spoil and the drainage crates beneath the surface of the east garden (approved by the LPA) all represent a constraint to the type of development considered, the opportunity to enhance the immediate setting of the Listed Building is, by some measure, the determining factor in the design evolution.
- 7.23 Currently the outlook from the Listed Building is of a modern housing estate brought right up to the southern boundary, which is intrusive and unattractive. This not only affects the outlook but also the ability to relax and enjoy the communal amenity area. This is contrary to the first requirement of Policy CS16 of the adopted Core Strategy.
- 7.24 It has been clearly shown how the proposal responds to and draws inspiration from its local context through the identification of where harm to the setting of the Listed Building exists; how the historic character of the building has been used to draw inspiration for the historically appropriate outbuilding and linking garden wall; the re-imagining and provision of its enclosed setting and the enhancement of its formal gardens through the proposed landscaping works. The historic character has clearly informed the design of the 'converted outbuilding' in terms of its very existence as an historically appropriate building within a formal garden, but also in its size, massing, height, materials and detailing. As such the proposals accord particularly with Point 1 of the adopted Core Strategy policy CS16.
- 7.25 Point 2 of the adopted Core Strategy policy CS16 requires that development produces a positive relationship between buildings, streets and spaces. It can be concluded that this design principle is at the heart of the proposals which seek to repair the current damaged relationship between the Listed Building

and its surroundings through the creation of a new enclosed setting for the east side of the Listed Building.

- 7.26 Point 3 of the adopted Core Strategy policy CS16 requires the improvement of the public realm close to the development. The public realm consists of the end of the carriageway within the modern housing estate. Currently this area is 'completed' with a view of a scrubby, untidy boundary, and a large mound of spoil. The opportunity for crime from this open boundary is removed through the provision of the frontage of the proposed dwellings on the southern side, enclosing and overlooking this public space so as to provide natural surveillance. Internally the public realm consists of the communal parking area to the frontage of East Leigh House. The enclosing nature of the new ornamental garden wall with entrance archway will improve and enhance the perceived division between public car parking areas and the private shared amenity space within the East Leigh House development.
- 7.27 Point 4 of the adopted Core Strategy policy CS16 requires development to take account of the needs of people with disabilities. Whilst disabilities are many and varied, this proposal concentrates on the provision of private space that allows people with disabilities to meet other people easily from their own wheelchair accessible dwelling. The landscaping scheme concentrates on wheelchair friendly surfaces and level access to allow manoeuvrability for those with impaired mobility. The simple rectangular form of paving and hedging and the positioning of an orientating feature in the sundial also assists those with vision problems, whilst the physical enclosure and 'acoustic sheltering' of the space through the use of the 'outbuilding' and linking garden wall assists acoustically with those that have hearing difficulties in more open areas. Neurologically, the simplicity of the layout of the open space, the small size of the dwellings and the legible enclosed layout assists those with neurofunctioning disabilities.
- 7.28 These requirements are repeated in the emerging submitted Local Plan within Policy E1 and H1. Policy H1 also requires that dwellings are in accordance with space standards, have sufficient private or communal outdoor amenity space and that mobility and accessibility is considered. The dwellings proposed within the 'converted outbuilding' exceed the minimum space standards for single person households, have a large outdoor shared private amenity space directly outside their rear terraces and are designed to be wheelchair accessible. Therefore, the proposals are also in complete accordance with these policies' high quality design requirements.

AMENITY

- 7.29 Adopted Core Strategy Policy CS16 point e, and emerging plan policy E22 call for development proposals to be permitted only where they take account of the potential for overlooking, loss of privacy, outlook, noise and odour.
- 7.30 The siting and location of the proposals, at a 'right angles' to the existing building, will ensure that there is no potential for overlooking or loss of privacy. There is a very large communal amenity area that will be significantly enhanced. The outlook for the existing residents of East Leigh House will undoubtedly be improved by this enhancement. There are no noise or odour issues associated with the proposals.

- 7.31 Policy DM7 of the adopted Core Strategy specifically calls for accessible amenity space within elderly persons developments together with a satisfactory outlook (presumably for days when mobility is restricted), and an appropriate setting. These principles have been central to the design of the dwellings. There is a large and accessible landscaped communal amenity area which also, through its simply but effective landscaping design, offers a very attractive outlook for residents on days when mobility may be more restricted.
- 7.32 In terms of the landscaping of the communal amenity area, the scheme sympathetically incorporates the existing garden and known historical garden features within its design.
- 7.33 Architecturally the landscape design emulates the formality of the former 'sunken' garden and symbolically echoes its topographical features and geometry. As such the design successfully integrates with the overall built form drawing all pieces of the original Listed Building and the new 'converted outbuilding together.
- 7.34 This is assisted by the linking garden wall which completes the new sense of enclosure for the garden. The use of local materials and plant species makes for a historically and environmentally appropriate landscape design in accordance with DM8 of the adopted Core Strategy and E1 of the emerging plan.

PARKING AND SERVICING

- 7.35 3 car parking spaces are provided allowing 1 space per unit. For single person dwellings this is considered sufficient and in accordance with Havant's residential parking standards. Bin storage is provided at the end of the pear drop drive to the south of the parking spaces in accordance with policies DM8 and IN13 of the adopted and emerging local plan, respectively.

PRINCIPLE OF PROVISION OF WHEELCHAIR ACCESSIBLE ELDERLY PERSON ACCOMMODATION

- 7.36 The provision of wheelchair accessible elderly person's accommodation is seen as 'critical' in Planning Practice Guidance and supported by the National Planning Policy Framework. The adopted core strategy in Policy CS9 seeks mixed communities that use a variety of housing types and sizes to ensure the sustainability of communities, and the provision of accommodation for the ageing population in sustainable locations. This area of the borough is highly sustainable, with the garden centre and café adjacent providing for one of the most prevalent hobbies amongst elderly people.
- 7.37 Even without the current undersupply of housing, the proposal is in accordance with Local Plan policy in this respect.
- 7.38 Likewise, the evidence provided to substantiate the emerging Local Plan demonstrates a critical need within Havant for elderly accommodation (Specialist Housing Analysis July 2020).
- 7.39 It is not considered that the proposal causes any level of harm to the Listed Building, only an enhancement to its setting and thereby its significance. However, should the LPA disagree with this

finding and consider that the proposal causes some (less than substantial) harm, the benefits of providing accommodation for which the need can be evidenced as 'critical' by far outweighs any harm caused.

- 7.40 Planning Practice Guidance also states the design principles for elderly persons accommodation should include integration with the surrounding context, social spaces that link with the community, space standards that facilitate flexibility, enhanced natural light and priority for pedestrians in outdoor spaces.
- 7.41 The proposed development provides for all of these requirements. The positioning of the frontages overlooking the public realm of the adjacent modern housing development integrates with that side of the building, whilst the most favourable outlook is saved for the bedroom and main living area, with full height doors allowing natural light to flood this room whilst also providing for easy access to the private terrace and the landscaped communal amenity area. This provides a social space to interact with neighbours within both the 'converted outbuilding' and those in the apartments within East Leigh House itself in a protected and enclosed communal open space designed specifically for easy pedestrian perambulation.
- 7.42 Internally, the space for each dwelling exceeds the minimum standard required for a single person household, in a legible layout. The layout and size of each dwelling is also sufficiently flexible to allow for wheelchair manoeuvrability if required.
- 7.43 As such the proposals accord with both adopted and emerging Local Plan policy, the National planning Policy Framework and the 'critical' need for such accommodation as referred to within up-to-date Planning Practice guidance.

HABITAT REGULATIONS

- 7.44 It is accepted that the proposals would, in combination with other proposals, have a likely adverse effect upon nearby protected sites in terms of both recreational pressure and water quality.
- 7.45 The applicant is willing to make the required financial payments to mitigate for these adverse effects.

8 Conclusion

- 8.1 Whether or not it was considered that the proposals for the modern housing estate to the south of the site would cause harm to the Listed Building through its impact on its setting, it is indisputable that the implementation to the scheme has led to significant harm.
- 8.2 The harm caused is the substantial visual intrusion of the built form of the modern housing estate in views to and from the Listed Building, which denigrates its setting and leads to a loss of significance of the Listed Building, together with the positioning of a parking and manoeuvring area directly adjacent to the southern boundary inflicting noise and disturbance that is not characteristic of the former setting of the Listed Building.
- 8.3 This harm is based upon the fact that the setting of the Listed Building was formerly characterised by the 'enclosed' nature of the formal gardens when, in actual fact, the southern boundary of the eastern garden had not ever been enclosed in the way that the remainder of the formal gardens were.
- 8.4 This area of the formal gardens did not, therefore, constitute the extent of the setting of the Listed Building.
- 8.5 The extent of the setting of the Listed Building in this area was wider, and included the former wide open expanse of flat arable fields to the south from which the building could be viewed, and had a materially important and significant view of.
- 8.6 This part of the wider setting has been destroyed by the implementation of the modern housing estate.
- 8.7 The narrower setting (the 'enclosed formal gardens') in the eastern garden does not exist.
- 8.8 The proposal seeks to enclose, protect and enhance the last remaining vestige of private amenity area for the Listed Building on its eastern side.
- 8.9 With the provision of a historically accurate and appropriate garden 'outbuilding', linked to the main house with an ornamental garden wall including archway access to a new landscaped garden inspired by the historical 'sunken' garden feature, the proposals create a new, enhanced setting for the Listed Building, replacing a former setting that can never be recovered.
- 8.10 Havant cannot demonstrate a 5 year housing land supply and its need for retirement housing for the elderly is critical as demonstrated within its SHMA and Specialist Housing Analysis background paper.
- 8.11 There is, therefore, a presumption in favour of this sustainable development as a result of there being no adverse effects that outweigh the benefits of granting planning permission. These benefits are:
- Enhancement of significance of the Listed Building through the replacement of the current denigrated setting with a new enclosed and intimate setting.
 - Provision of a historically appropriate landscaped communal amenity area
 - Improvement to the public realm

- Provision of housing for elderly persons
- Provision of wheelchair accessible housing

8.12 There are no disadvantages to the granting of planning permission. Leaving things as they are would allow the already denigrated setting of the Listed Building to remain and to languish, with no positive action proposed for its improvement. In planning terms, this would be a failure to proactively enhance the setting of the Listed Building when given the opportunity. The modern housing estate would continue to visually intrude, unacceptably, upon the setting of the Listed Building, causing substantial harm to its ongoing significance.

8.13 It is therefore respectfully requested that permission is given for the proposals as soon as practicable.