

DELEGATED OFFICER REPORT

PROPOSAL	Removal of 3No existing sheds and proposed installation of 2No external enclosures.
LOCATION:	The Ship Inn, Langstone Road, Havant, PO9 1RD
REFERENCE NO:	APP/24/01000
APPLICANT:	Fuller, Smith and Turner PLC
APPLICATION TYPE:	Full planning permission
CONSULTATION EXPIRY DATE:	13/01/2025
APPLICATION EXPIRY DATE:	10/02/2025
WARD:	St Faiths
SUMMARY RECOMMENDATION:	Approve with Conditions

1. Site Description

- 1.1 The Ship Inn, Langstone Road, Havant, PO9 1RD is a Grade II listed Public House located to the north-east of Langstone Road, immediately to the north of Hayling Bridge. The site lies within the Langstone Conservation Area and is comprised of the Public House, the free public car park adjacent, a brick building behind the Public House, and three small timber sheds to the northern corner. The Public House is a former 18th Century malthouse and is a two-storey building finished in off-white painted and stuccoed brick walls under a gable ended roof in plain clay tiles with black rainwater goods. Cills under the windows are picked out in black and there is also black timber cladding to the entrance porch. The windows are modern white uPVC replacements. The Public House has been previously extended at ground floor to include several attached outbuildings in the same style. To the north-east there is a two-storey exposed brick building with a high gable-ended roof that also belongs to the Public House. This building seems to have been part of the original footprint of the property but is not included in the listing description.
- 1.2 The site is within the Langstone Conservation Area, which is under an Article 4 directive. The entrance to the car park also forms the southern entrance to the Conservation Area and is marked by a low boundary hedge on the north side and a grass verge on the south side. The level terrain allows for views over Chichester Harbour immediately to the east of the site
- 1.3 The area immediately surrounding the application site is mixed in character. Langstone Road physically separates the site and the Conservation Area from recent residential development to the west and Langstone Sailing Club to the south, and to the north there is a row of two storey terraced houses with long frontages bordering the site. The car park area includes access to several garages that serve houses within the terrace.

2. Planning History

Is there any planning history relevant to the current application?

01/50825/010 - Internal and external alterations to public conveniences block to include new pitched roof and repositioning of entrances., PERM,08/10/2001

97/50825/008 - Construction of an external door within the west elevation, PERM,17/03/1998

97/50825/009 - Listed building application for internal alterations to first floor toilets, main staircase, kitchen, accommodation & construction of new external door within the west elevation, PERM,17/03/1998

93/50825/005 - Toilet Block extension to rear and refurbishment works internally, PERM,08/04/1993

93/50825/006 - Listed Building Application for erection of new toilet block to rear of premises together with internal alterations and refurbishments., PERM,08/04/1993

04/50825/011 - Attached outbuilding for freezer store., PERM,07/09/2004

04/50825/012 - Listed Building consent for attached outbuilding for freezer store, PERM,07/09/2004

06/50825/013 - Display of externally illuminated sign plaque and cartouches and 2No. lanterns to south and west elevations., WD,06/12/2006

07/50825/014 - Display of externally illuminated fascia sign, plaque and cartouche and 1No. lantern to south elevation. , PERM,24/07/2007

07/50825/015 - Listed Building Consent for reorientation of external stair and erection of glazed canopy to front., REF,31/05/2007

07/50825/016 - Reorientation of external timber stair and erection of glazed canopy to front., REF,31/05/2007

APP/14/01063 - Application for advertisement consent for replacement advertisements and lighting comprising: 2No. written signs. 1No. plaque, 1No. brass menu case and 1No. brass lantern to south elevation; refurbishment of existing cartouche and 1No. written signboard on west elevation; 1No. written sign on east elevation; retention of all floodlighting on building; and retention of existing pictorial with illumination and replacement gibbet and cartouche to existing freestanding sign at road frontage., PERM,19/12/2014

APP/14/01147 - Application for Listed Building Consent for replacement advertisements and lighting comprising: 2No. written signs. 1No. plaque, 1No. brass menu case and 1No. brass lantern to south elevation; refurbishment of existing cartouche and 1No. written signboard on west elevation; 1No. written sign on east elevation; retention of all floodlighting on building; and retention of existing pictorial with illumination and replacement gibbet and cartouche to existing freestanding sign at road frontage., PERM,19/12/2014

APP/24/01001 - Listed Building Application for removal of 3No existing sheds and proposed installation of 2No external enclosures., DEL,

3. Proposal

Removal of 3No existing sheds and proposed installation of 2No external enclosures.

4. **Policy Considerations**

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016
Chichester Harbour Management Plan 2024-2025
Havant Borough Council and Chichester District Council Joint SPD - Chichester Harbour Area of Outstanding Natural Beauty

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12 (Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS15 (Flood and Coastal Erosion Risk)
CS16 (High Quality Design)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

DM20 (Historic Assets)
AL1 (Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: II
Conservation Area: Langstone

5. **Statutory and Non Statutory Consultations**

Chichester Harbour Conservancy

Letter of 15/01/2025

Thank you for consulting Chichester Harbour Conservancy on the above planning application. Chichester Harbour Conservancy is a unique organisation in that it is the only Harbour Authority with statutory responsibility for an Area of Outstanding Natural Beauty (AONB). Further details are explained in the Appendix to this response

Please note that the above case has been considered as a fully delegated decision by the Principal Planning Officer at Chichester Harbour Conservancy.

Chichester Harbour Conservancy's Response - NO OBJECTION

Reasoned Justification

We agree with the conclusions of the submitted Planning, Heritage, Design, Access & Flood Risk Statement that the proposed enclosures would have a neutral effect on the character and appearance of the Conservation Area and the natural beauty of the Chichester Harbour National Landscape, given their relatively modest size, appearance, and their discreet siting to the rear of the building and the site in relation to the Harbour, replacing the three existing sheds which take up a larger footprint than that proposed.

Coastal Engineering

Thank you for consulting with Coastal Partners on the above application, we have no objection in principle but are able to offer the following comments and advice.

The site is shown to lie within the present day Flood Zone 3 and may therefore be at risk from a 1:200 year / 0.5% annual probability extreme tidal flood event.

Flood risk is covered within the Planning, Heritage, Design, Access & Flood Risk Statement. This sets out that the proposed sub-station enclosures will incorporate flood protection, resilience, and resistance measures appropriate to the character and biodiversity of the area and the specific requirements of the site, ensuring that they do not increase flood risk elsewhere. The structure will be protected with a damp proof course of 150mm from the ground. The enclosures will also be designed to prevent water ingress. They will be well-insulated and constructed from waterproof materials such as high-quality GRP, featuring high-quality gaskets and seals to ensure water resistance. The design will also allow for secure access and easy maintenance, ensuring compliance with local and international standards.

Coastal Partners request to please stay consulted on the application, to ensure that the development will not adversely impact construction of the Langstone Coastal Defence Scheme.

Conservation Officer (1)

Site / Location

The application site comprises a public house in Langstone, the Ship Inn which is a Grade II listed building. The building also lies within the Langstone Conservation Area.

Legislation

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

Planning (Listed Building and Conservation Areas) Act 1990

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

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall 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.

National Planning Policy Framework (revised December 2024)
Chapter 16 of the NPPF relates to the Historic Environment including paragraphs 195 – 214. The building subject to this application is a Grade II listed heritage asset (as set out in the introduction) and therefore the following paragraphs are most relevant to the determination of this application:

Para 212 states that:

'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'.

Para 214 states that:

'Where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 208 requires this harm to be weighed against the public benefits of the proposed development'.

Para 215 states that:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

Havant Borough Local Plan (Core Strategy 2011 and Allocations Plan 2014)

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

Policy CS11 (4) states that planning permission will be granted for development which:

'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 – High Quality Design

Policy CP16 (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:

- 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.

Policy DM20 (Allocations Plan) - Historic Assets

Policy DM20 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.'

Assessment

The proposal is for the removal of 3no. sheds located to the rear of the public house. These are of no architectural significance and therefore no objection is raised to their removal. These structures would be replaced with 2no. new structures to house an electrical installation and a GRP substation. The substation would comprise a single storey, small scale brick structure with a with a hipped, tiled roof, which is more in keeping than the existing shed structures. The electrical installation structure would be a small metal cabinet which would have a negligible impact.

Overall, it is considered that the proposals would not result in harm to the significance of the designated heritage assets (the listed building and the Langstone CA). It would therefore meet the tests set out in S16 and S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act"), along with the relevant policies in the NPPF and Local Plan.

Conclusion

NO OBJECTION subject to the following condition:

1. No development shall commence until details and / or samples of all external facing materials have been submitted to and agreed in writing by the LPA and used in situ thereafter.

Reason – in the interests of the historic and architectural significance of the designated heritage assets and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and policy DM20 of the Havant Borough Local Plan (Allocations) 2011 and the National Planning Policy Framework.

Officer Comment

The suggested condition was discussed with the agent, who subsequently provided further details within a Finishes Schedule.

Conservation Officer (2)

Thanks for the email, I am of the view that the materials are acceptable for use on the development, in that they would not result in harm to the conservation area, nor the setting of the adjacent listed building.

Councillor Daniel Berwick

No comments received.

Councillor Gillian Harris

No comments received.

Councillor Phil Munday - St Faiths

No comments received.

County Archaeologist

No comments received.

Ecologist, Planning Policy Team

Thank you for consulting me on this application.

I would not raise any concerns in relation to ecological matters. The proposed works are not likely to result in ecological impacts. No further information is necessary.

Engineering Services, Havant Council

No drainage comments

Environment Agency

Letter of 17/01/2025

We have no objection to the proposal as submitted.

Environmental Health Manager, Community Group (1)

Observations / Comments:

We have no issue with the principle of the development. However, there is no substantive information provided on the type of electrical units to be installed in GRP Enclosure 1 and the type of substation to be housed in brick-built Enclosure 2.

Substations can have noisy characteristics, although the level and character of noise they produce depend on a variety of factors such as their design and the equipment used and surrounding environmental conditions.

Transformers can be a source of low-frequency humming sound (50 Hz power frequency), which can propagate over long distances and be challenging to mitigate due to their long wavelength (6.86 m at 50 Hz).

The substation and transformer will be housed within a brick-faced GRP enclosure with a tiled roof. The enclosure includes double-leaf GRP doors to the front (south elevation) and two 750x550 ventilation louvres to the rear (north elevation). These elements form the acoustically weakest points of the enclosure.

The acoustic performance of the doors and ventilation louvres must be appropriately specified to protect the amenity and quality of life of residents in the local area from noise.

In line with the 'Agent of Change' principle, the responsibility for managing the impact of any change lies with the person or organisation introducing it. Given the lack of detailed information provided with the application and the proximity of residents (18m to the north), we request that any approval is subject to the following conditions:

Plant Noise

Condition 1: Enclosure 1 and enclosure 2 shall be designed and constructed to ensure that one-third-octave band noise emissions (Leq,5min) from plant and equipment, in the range 10 Hz to 20k Hz, are controlled to at least 5 dB below the lowest representative existing daytime (07:00-19:00), evening (19:00-23:00) and night-time (23:00-07:00) background sound level (L90,5min) over the same frequency range. This criterion shall be met at a position 5 m from the enclosure and applies to the total contribution of noise from all plant and equipment associated with the development operating during any given period.

The baseline noise survey must cover a period sufficient to faithfully represent the prevailing noise climate at the nearest noise-sensitive premises during the plant's operating hours. In most cases this will cover survey during the weekday and weekend period. The typical minimum background sound level should be defined as the 10th percentile value for the daytime, evening and night-time periods when the plant may operate.

Reason: To protect the amenity and quality of life of residents in the local area from undue noise disturbance.

Acoustic Commissioning Testing

Condition 2: Acoustic commissioning testing shall be conducted by a suitably qualified and independent acoustic consultant to demonstrate compliance with Condition 1. The commissioning protocol shall be agreed in writing with the Local Planning Authority prior to testing.

The results of testing, along with full details of the installed noise mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. If plant noise emissions do not meet the required noise limits, additional mitigation measures shall be implemented, and re-testing conducted until compliance is achieved.

Reason: To confirm that the installed plant scheme operates within acceptable noise limits, protecting the amenity and quality of life of nearby residents.

Officer Comment

The agent provided a Plant Noise Assessment in response to the above comments.

Environmental Health Manager (2)

As advised on 27/01/25, we have no objection in principle to the proposed development. However, transformers and associated auxiliary plant are recognised sources of low-frequency noise – typically a 100 Hz fundamental frequency (characteristic tonal hum) and its harmonics, which can propagate over long distances and be challenging to mitigate due to the long wavelengths involved. This issue has not been adequately addressed in any of RBA's submissions, which is concerning given their professional remit.

Given the proximity of residential properties directly to the north, we request that any planning approval is subject to the following design amendment and condition:

Design Requirement:

The two 750 x 550 mm ventilation louvres on the rear (north) elevation of Enclosure 2, which represent the acoustically weakest points of the enclosure, must be reorientated away from the noise-sensitive residential properties to the north.

Planning Condition:

Enclosure 1 and Enclosure 2 shall be designed and constructed to ensure that one-third-octave band noise emissions (Leq,5min) from all associated plant and equipment, in the frequency range 20 Hz to 8 kHz, are controlled to at least 5 dB below the lowest representative existing daytime (07:00-19:00), evening (19:00-23:00) and night-time (23:00-07:00) background sound level (L90,5min) over the same frequency range. This requirement shall be achieved at a position 5 m from the enclosures and applies to the cumulative noise emissions from all plant and equipment associated with the development operating during any given period.

Reason:

To protect the amenity and quality of life of residents in the local area from undue noise disturbance.

Officer Comment

On reviewing the proposed condition, the acoustic consultants recommended revisions to the enclosure design and amended plans were provided along with a revised Plant Noise Assessment.

Environmental Health Manager (3)

Thank you for the updated acoustic report - we're supportive of both the content and the approach taken.

I'm happy for the application to be granted consent, subject to the following condition:

Prior to installation of the final selected plant, details of plant and its noise emissions along with any mitigation measures required to meet the noise limits described below shall be submitted to the local planning authority for approval;

- a) The cumulative noise emissions from all plant and equipment associated with the development, operating during any given period, should achieve a BS 4142:2014+A1:2019 rating level no higher than 5dBA below the representative background sound level (LA90,T) for the period, when assessed a 1m from the external façade of the worst affected residential receptor. The assessment periods are daytime (07:00-19:00), evening (19:00-23:00) and night-time (23:00-07:00).*

And:

- b) Furthermore, the cumulative noise emissions from all plant and equipment associated with the development, operating during any given period, should achieve a rating level no higher than 10dBA below the period-averaged ambient sound level (LAeq T) for the period, when assessed at 5m from the plant enclosure and within an area used for residential outdoor amenity. The assessment periods are daytime (07:00-19:00) and evening (19:00-23:00).*

And:

- c) Any approved mitigation measured must be implemented in full prior to the operation of the plant and maintained thereafter for the lifetime of the plant.*

Natural England Government Team

Letter of 22/01/2025

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Chichester and Langstone Harbours Special Protection Area and Solent Maritime Special Area of Conservation <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which Chichester Harbour Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Submission of Construction Environmental Management Plan (CEMP)

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further advice on mitigation Construction Environmental Management Plan (CEMP)

The development is in close proximity to Chichester and Langstone Harbours SPA, Solent Maritime SAC and Chichester Harbour SSSI. Without best practice working methods and mitigation there is risk during the construction phase of the development that pollution from machinery, equipment or materials may enter into the water. Natural England recommends that a Construction Environment Management Plan (CEMP) is produced prior to start of the works and submitted and approved in writing by your authority. This should be secured by an appropriate planning condition or obligation.

The CEMP should include the following:

- A list of defined potential impacts on the SPA & SSSI
- Details of methods for pollution control to ensure that no pollution (such as debris from dust or surface run off, as well as chemicals or fuel) is able to enter the watercourse
- Details on the storage and disposal of waste on site
- Details on how sediment/concrete/other debris that may be accidentally released during construction will be captured to prevent entering the water
- Details of Biosecurity to ensure that all equipment brought onto site does not bring any contaminants such as invasive species onto the site and into the waters.
- Noise, visual and vibrational impacts

Wherever possible, percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) should be avoided during the bird overwintering period (i.e. October to March inclusive). If such a condition is problematic to the applicant than Natural England will consider any implications of the proposals on the SPA bird interests on a case by case basis through our Discretionary Advice Service. Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site)

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A. Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

If you have any queries relating to the advice in this letter please contact sarah.lo@naturalengland.org.uk

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

Should the proposal change, please consult us again.

Officer Comment

A CEMP was provided and Natural England were reconsulted. As the response was identical and did not take the additional information into account the Council's Principal Ecologist was also consulted.

Principal Ecologist

The application is now accompanied by a Construction Ecological Management Plan (Arbtech, March 2025). This document details the range of potential impact pathways arising from the proposed development and provides avoidance and mitigation measures to address these. I am content that the CEMP provides a sound framework for managing risk to the natural environment.

Development should proceed in accordance with the submitted CEMP.

Property Services Manager

No comments received.

Southern Gas Networks - stage 1

Please see attached information specific to your enquiry: (Please note if the attachment size was too large to send via email, you can download your information from the link provided below)

1. Plan. Extract from our mains record*. Please print in colour. For larger searches, do not rely on the 'overview' map for site works, use the details maps behind.
2. Letter. Including relevant safety information.
3. Other safety related information.

*Plans will not be sent if you receive a Mineral stop letter.

The Plan is an extract from our mains records of the proposed work area enclosed for your guidance. This plan only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or ones owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area we will note them on the plans as a shaded area and/or a series of x's.

The accuracy of the information shown on this plan cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but you should look out for them in your area. Please read the information and disclaimer on these plans carefully. The information included on the plan is only valid for 28 days.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas plant.

Damage to our pipes can be extremely dangerous for your employees and the general public. The cost to repair our pipelines following direct or consequential damage will be charged to your organisation.

Diversions

If you require any diversion costings, please visit the Dig Safely pages on sgn.co.uk for more information and email contact details.

6. **Publicity and 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: 6

Number of site notices: 2

Statutory advertisement: 10/01/2025

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Site Notice		06/01/2025		Is in conservation area. Affects a listed building.
Site Notice		30/09/2025	14/10/2025	Is within or adjacent to a Conservation Area; Affects a Listed Building and/or the setting of a Listed Building

Number of representations received: 0

Comment	Officer Comment
No comments received.	

Material planning considerations are addressed in Section 7.

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 on visual amenity, the Langstone Conservation Area, the Chichester Harbour National Landscape, and heritage assets
- (iii) Effect on neighbouring properties
- (iv) Ecology
- (v) Flood risk
- (vi) Biodiversity Net Gain (BNG)

(i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact on visual amenity, the Langstone Conservation Area, the Chichester Harbour National Landscape, and heritage assets

- 7.3 The application site includes a listed building. Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 requires that new development responds to, draws inspiration from and respects local context and identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site. Policies CS11 and DM20 of the of the Havant Borough Local Plan (Core Strategy) 2011 seek to protect and, where appropriate, enhance the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to Conservation Areas and listed buildings. Policy CS12 of the Core Strategy requires, amongst other matters, that development will conserve and enhance the special qualities of the Chichester Harbour National Landscape (formerly AONB).
- 7.4 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 states that with respect to any buildings or other land within a conservation area, in the exercise of any functions under the planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.5 Paragraph 203 of the NPPF 2024 requires Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise.
- 7.6 The listing entry for The Ship Inn is as follows; *Public house. C18, much restored. Painted brick walls (some stucco) and tiled roof. 2 storeys, 6 windows to the long east elevation. Victorian sashes. ½-glazed mid C19 porch.*
- 7.7 The proposal comprises the demolition of three existing sheds and the installation of two new external enclosures; a small brick structure with a hipped and tiled roof housing a substation and a small metal cabinet housing an electrical installation.
- 7.8 The enclosure housing electrical installations (Enclosure 01) would be a small 1.5m wide by 0.65m deep GRP composite lockup with a height of 1.5m. It would be fixed to the north-west wall of an existing single storey attached outbuilding. The enclosure housing the substation transformer unit (Enclosure 02) would be approximately 4.2m wide, 4.2m long, with a height of just over 4.3m, and would be finished in facing brickwork with a hipped roof in handmade clay peg tiles. Details of the exact materials proposed have been provided within the submitted Finishes Schedule. The proposals would be of a small scale and well set back within the site, with a minimal impact on the street scene.

- 7.9 In terms of the impact of the proposals on the Langstone Conservation Area and the listed building, the Council's Conservation Officer has been consulted and has raised no objection to the proposals following an assessment of the application site. The Conservation Officer noted that the sheds to be demolished are of no architectural significance and that the style and materials of the proposed substation enclosure would be more in keeping with the setting of the Conservation Area and listed building than the existing shed structures. The proposals are therefore considered to preserve the setting of the listed building and the character and appearance of the Langstone Conservation Area, thereby meeting the requirements of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 7.10 Chichester Harbour Consultancy have been consulted with regards to potential impact on the Chichester Harbour National Landscape and have provided comprehensive comments which are set out within the consultation response above. The response notes the discreet siting and that Enclosure 02 would have a significantly smaller footprints than the sheds to be removed.
- 7.11 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy). It is considered that the scheme would conserve the visual amenity of the Chichester Harbour National Landscape and the character and appearance of the Langstone Conservation Area, in accordance with Policies CS11 and CS12 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations Plan) 2014, the NPPF and the tests in Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the Chichester Harbour National Landscape under Section 84 of the Countryside and Rights of Way Act 2000.

(iii) Effect on neighbouring properties

- 7.12 Immediately to the north of the application site there is a row of three-storey terraced dwellings accessed via a gated pedestrian entrance from Langstone Road or by vehicle from the car park adjacent to The Ship Inn. Private amenity spaces for the dwellings are to the north so that the area between the dwellings and the car park consists of lawned frontages with small outbuildings and private parking. The proposed Enclosure 01 would be extremely small in scale and would be attached to the Public House, at least 13m from the nearest shared boundary and over 38m from the nearest dwelling. The proposed Enclosure 02 would be offset from the north boundary by approximately 1.7m and from the west boundary by approximately 0.7m in a similar location as the existing sheds but smaller in scale. It would be located at least 14m from the nearest dwelling. The proposed enclosures are considered to have a limited and acceptable impact in terms of outlook, light, and privacy.
- 7.13 The council's Environmental Health Team were consulted with regard to potential noise impact and initially expressed concerns regarding the acoustic design of the substation, particularly the location of the ventilation units to the north facing wall of the enclosure. The vents were subsequently relocated to the sides of the substation, facing away from the residential dwellings and towards the Public House and parking area behind the dwellings. The revised design and supporting revised Plant Noise Assessment is considered to be acceptable and in accordance with Policy DM10.

- 7.14 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) Ecology

- 7.15 Policy CS11 seeks to protect and, where possible, enhance the borough's statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest. The application site is in close proximity to Chichester and Langstone Harbours SPA, Solent Maritime SAC and Chichester Harbour SSSI.

- 7.16 Following consultation with Natural England, a Construction Ecological Management Plan was provided and has been reviewed by the Council's Principal Ecologist in conjunction with Natural England. In line with comments provided by the Principal Ecologist, a condition is recommended to ensure the works are carried out in accordance with the approved CEMP to meet the requirements of Policy CS11.

(vi) Biodiversity Net Gain (BNG)

- 7.17 It is noted that this application meets the De Minimis exemption requirements relating to Biodiversity Net Gain.

8 Conclusion

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact, would conserve the character of the listed asset, the Emsworth Conservation Area and the Chichester Harbour National Landscape, and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.
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9. **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/01000 subject to the following conditions

Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Site Location Plan 2998.00.00 Rev. A
Proposed Plans 2998.02.00, Rev. B

Proposed Elevations A and B 2998.02.01 Rev. B
Details of Enclosure 01 2998.03.00, Rev. A
Details of Enclosure 02 2998.03.01, Rev. B
Planning, Heritage, Design, Access & Flood Risk Statement
Proposed Finishes
Plant Noise Assessment 14322.RP01.PNA.1 Rev. 2
Construction Ecological Management Plan by Arbtech

Reason: To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans and Finishes Schedule, 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.

- 4 Development shall proceed in accordance with the Construction Ecological Management Plan (Arbtech, March 2025) hereby approved.

Reason: To provide ecological and environmental protection in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS11 of the Havant Borough Core Strategy (2011).

- 5 Prior to installation of the hereby approved plant and electrical equipment, details of the plant and its noise emissions along with any mitigation measures required to meet the noise limits described below shall be submitted to and agreed in writing by the local planning authority;

a) The cumulative noise emissions from all plant and equipment associated with the development, operating during any given period, should achieve a BS 4142:2014+A1:2019 rating level no higher than 5dBA below the representative background sound level (LA90,T) for the period, when assessed a 1m from the external façade of the nearest residential receptor. The assessment periods are daytime (07:00-19:00), evening (19:00-23:00) and night-time (23:00-07:00).

b) The cumulative noise emissions from all plant and equipment associated with the development, operating during any given period, should achieve a rating level no higher than 10dBA below the period-averaged ambient sound level (LAeq T) for the period, when assessed at 5m from the plant enclosure and within an area used for residential outdoor amenity. The assessment periods are daytime (07:00-19:00) and evening (19:00-23:00).

c) Any approved mitigation measures must be implemented in full prior to the operation of the plant and maintained thereafter for the lifetime of the plant, unless otherwise agreed in writing with the local planning authority.

Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Informatives:

- 1 In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
 - Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You were updated about issues after the initial site visit.

2 Southern Gas Networks

Please refer to the Plan specific to your enquiry. The Plan is an extract from our mains records of the proposed work area enclosed for your guidance. This plan only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or ones owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area we will note them on the plans as a shaded area and/or a series of x's.

The accuracy of the information shown on this plan cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but you should look out for them in your area. Please read the information and disclaimer on these plans carefully. The information included on the plan is only valid for 28 days.

A colour copy of these plans and the gas safety advice booklet should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation. Safety advice can be found at <https://www.sgn.co.uk/help-and-advice/digging-safely/digging-advice>.

Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas plant.

Damage to our pipes can be extremely dangerous for your employees and the general public. The cost to repair our pipelines following direct or consequential damage will be charged to your organisation.

Diversions

If you require any diversion costings, please visit the Dig Safely pages on [sgn.co.uk](https://www.sgn.co.uk) for more information and email contact details.