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<b>APPLICATION NO.</b>	16/00922/FULLN
<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	25.04.2016
<b>APPLICANT SITE</b>	Andover Charities Trustees 64-70 Adelaide Road, Andover, Hampshire, SP10 1HG, <b>ANDOVER TOWN (ST MARYS)</b>
<b>PROPOSAL</b>	Demolition of four existing almshouses and construction of 12 new almshouses with associated parking
<b>AMENDMENTS</b>	Amended plans and additional information received 20/07/17, 02/03/18, 05/03/18, 25/5/18; Updated Ownership information received 20/07/18
<b>CASE OFFICER</b>	Mrs Laura McKay

Background paper (Local Government Act 1972 Section 100D)

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## 1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee in accordance with the Member and Officer Interests Protocol.

## 2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site comprises the Acre Almshouses and an area of car park to the front of them. The existing building is a detached two storey red brick property constructed in 1869. There are four 1 bedroom flats within the building. The building faces south, towards Rack Close, and has flat roofed extensions on the rear which project towards a large roundabout. To the front of the building is a public car park laid to hardstanding. There are several trees around the building and car park, including large mature specimens.

2.2 To the south-west of the site is the United Reform Church and then 54 East Street, which are both Grade II listed. There are several other listed buildings further south along East Street. To the north west are 8 Newbury Street and several properties along Church Close, which are also Grade II listed. The Andover Conservation Area includes the application site and car park, properties on Rack Close, Adelaide Road and East Street, and extends to the north up to 17 New Street and to the west to include the town centre. The large roundabout immediately north of the application site is not within the conservation area.

## 3.0 PROPOSAL

3.1 Full planning permission is sought to replace the existing building with a new building comprising 12 dwellings to be used as almshouses. The proposal comprises a single curved building containing 11 flats with two storey "tower" features either side, roof gardens at first floor level and a central three storey

section. The south-western end of the building would be laid out as a two storey dwelling and would be an almshouse occupied by a resident who would act as a warden. The proposed building would be constructed of red and buff bricks with orange/red brick detailing and slate roofs.

3.2 The application is accompanied by:

- Design and Access Statement (amended)
- Ecology survey
- Heritage Statement
- Heritage Impact Assessment
- Historic Environment Desk Based Assessment
- Details of cycle/mobility scooter storage
- Responses to case officer and consultee comments
- Statement on car parking
- Details of alternative schemes considered
- Historic photograph
- Street scene drawings
- Information on trees/landscaping

3.3 Amended plans have been submitted through the application process to amend the design of the building, materials (including removal of render/stucco from the materials palette), balcony areas and landscaping.

#### 4.0 **HISTORY**

4.1 16/00938/RDCAN - Demolition of four existing almshouses – under consideration.

#### 5.0 **CONSULTATIONS**

##### 5.1 **TVBC Design and Conservation – Objection**

*[Officer note: references to paragraphs in the NPPF are to the 2012 NPPF, which was replaced in July 2018. The provisions of the revised NPPF are discussed in section 8]*

##### *Comments on original submission:*

The proposed development will result in harm to the significance of the affected designated heritage assets (conservation area and listed buildings), as per paragraph 14 of the NPPF and Policy E9 of the Test Valley Borough Local Plan 2016.

The proposed development will not make a positive contribution to sustaining or enhancing the significance of the heritage assets affected, and has not taken into account their character, appearance and setting, contrary to Policy E9 of the Test Valley Borough Local Plan 2016.

The proposed development has not been informed by the significance of the heritage assets affected, contrary to Policy E9 of the Test Valley Borough Local Plan 2016.

The proposed development does not take account of the desirability of sustaining or enhancing the significance of the heritage assets (listed buildings, conservation area and buildings of local interest) and the desirability of new development making a positive contribution to local character and distinctiveness as per paragraph 126 of the NPPF.

The Acre Almshouses are identified as a non-designated heritage asset. The almshouses are within the Andover Conservation Area, a designated heritage asset.

The almshouses are in close proximity to a number of designated heritage assets (i.e. The United Reformed Church and 54 East Street, both listed grade II), the setting of which will be affected by their proposed demolition. They are also in moderate proximity to, and inter-visible with, further designated assets, including 8 and 8A Newbury Street and 2 and 4 Church Close. Also, No. 8 to the south, opposite, is an early C19 chalk cob house and to the south-west is the former Andover Arms, of similar date; both are of local interest and non-designated heritage assets.

*Acre Almshouses: non-designated heritage asset*

The Acre Almshouses are an attractive row built in 1869 in an orange/red brick, strongly composed with flanking gabled cross wings and largely unaltered externally, apart from the replacement of the windows and doors. The latter has a remarkably small impact on their overall character, partly because that character is very strong but also because of the interesting way the openings are treated, with blocks of rustication in gault brick and with vermiculated rustication to the keys of the stone lintels. The decorative patterned tile roof is a particularly attractive feature. The building also retains its chimneys. The only external additions are a pair of small flat-roofed rear extensions. However the principal elevation is to the south and is a strong visual presence in the conservation area.

No surveyor's report is attached to the applications but the building appears to be in a good structural condition. The matters raised in the heritage statement are fairly trivial, e.g. a few spalling bricks not untypical with soft red bricks which, if any work is required at all, is easily remedied, by turning or replacing individual bricks, and the need for some joinery repairs. Some damp is described but not quantified and no attempt at identifying its cause is made. Damp is not uncommon in old buildings, often caused by a combination of factors, and is usually easily addressed. It is often associated with poor maintenance (e.g. clearing out gutters) and management and inappropriate later repairs or alterations e.g. high ground levels, where road levels have built up over time, are often a cause of low level damp. Very few buildings before the early C20 have damp proof courses and this building is no exception; the lack of a DPC is not normally a reason for condemning an old building, listed or otherwise.

It would appear from the evidence presented that the building is in a fair state of repair and that the problems identified can be readily addressed. However, that the building requires refurbishment and modernisation is not contested and there are very many examples of similar historic almshouses, many listed (e.g. the early seventeenth century Christ's Hospital in Winchester or, closer to home, the row of almshouses of 1815 at Ampport) that have been successfully adapted and modernised to provide good quality accommodation to a modern standard, while, of course, also adding the extra value for the residents that comes with the pleasure of living in an attractive and historic building.

The building is therefore a local building of interest. In terms of the values laid out in Historic England's Conservation Principles, it has:

1. Evidential value, i.e. the potential to yield evidence about human activity. There have been almshouses on, or close to, this site since the C17 at least, possibly earlier.
2. Historical Value, i.e. the way in which people, events and aspects of life can be connected through a place to the present. There is a continuity of use of the site, and the building can be associated with almshouses on the site in the mid C17, and possibly earlier. There is a strong association between the building and the long history of charitable foundations in the town
3. Aesthetic value, i.e. that deriving from how people draw sensory and intellectual stimulation from a place. The building has both intrinsic architectural quality as has already been described, as has the contribution to the character of the conservation area.
4. Communal value, i.e. the meaning of a place for the people who relate to it. The building is a long-standing and familiar landmark in a town.

*Andover Conservation Area: designated heritage asset*

The area of the conservation area in which the almshouses are sited is an interesting one. Historically it was on the edge of the town, and included a long narrow plot running approximately east-west known as the Town Acre (or Common Acre), hence Acre Almshouses. This was an area of common given to the town in 1570 and may also have been the town butts (i.e. an area for archery practice), possibly indicated by its long narrow shape. The first reference to almshouses on this site is in 1647. This plot/field originally extended almost all of the way to East Street, as is shown on old maps and its slight foreshortening, with the present grassed area with its avenue of trees now restricted to the east side of Adelaide Road is a late C19 change. However, the long narrow plot is still clearly part of the urban grain, continuing across Adelaide Road to East Street, where it is metalled and forms an urban space, faced onto by the almshouses on the north side and the former Andover Arms on the south side. It is the Town Acre which defines and explains the character of this part of the conservation area and any development which does not take account of this is likely to be harmful to the conservation area's character and appearance. Historically it is the place where town met countryside and the survival of much of the Town Acre as a green space and the presence of the late C19 recreation ground beyond to the north helps to retain much of this edge-of-town character; the historic urban

development (East Street, Rack Close, Adelaide Street etc.) extends up to, but does not cross, the Town Acre plot from the south. The C17 almshouses were built on the north side of this plot, presumably on land granted by the corporation, which must explain their narrow linear form and their orientation (i.e. so not as to unduly obstruct the long narrow Acre itself). Historically, as now, their centre of gravity is towards the south. The edge-of-town character of the area is further confirmed by its use historically for drying woollen cloths - hence Rack Close.

Therefore, the almshouses have a long and strong relationship with the site and are a defining element in the historic development of this part of the conservation area – it cannot be understood in terms of its architectural or historic interest without them. A result of their location is to create an intimate space between them and the buildings on the south side of Town Acre. Indeed, there is a strong impression of a courtyard created.

As well as having a strong historic relationship with the location, the almshouses are also a prominent visual element in the conservation area, particularly in views from the south east around to the south west. A key view, for example, is that from the south west with the United Reformed Church and the adjoining No. 54 East Street in the foreground. They are also important in views from the east down the Town Acre itself. They also have a very strong presence in the space immediately to the south, the former west end of the Town Acre, and respond to the old buildings opposite. They can also be seen in the foreground of views across the listed buildings in the conservation area to the north west, in Newbury Street, Church Close and the tower of St Mary's Parish Church.

The large roundabout to the north of the site was probably constructed before the conservation area was designated in 1969 but clearly its presence does affect its setting. But the impact on the setting of the almshouses and that part of the conservation area (and therefore on the significance of both) is not as great as might first be considered; the principal façade faces away from the road and indeed helps to screen the roundabout from the area around Town Acre. The rear elevation of the almshouses, which faces north to the roundabout, is the least important architecturally and in terms of the character of the conservation area.

The proposed development is accompanied by only a minimal design and access statement. It is not accompanied by visual materials (apart from drawings of the proposed scheme) to support the rationale laid out in that statement. The heritage statement provides some of the context, although it tends to describe the assets affected individually rather than assess their significance in the conservation area as a whole (and is also not accompanied by visual material to support its statements), but there is no document that describes how the information provided in the heritage statement was used to inform the proposed design (i.e. there is a missing link). Indeed, it would appear that the design was resolved before any analysis of the heritage context was carried out. This is a major and fundamental failing, given that paragraph 131 of the NPPF requires LPA's to take account of 'the desirability

of new development making a positive contribution to local character and distinctiveness' and paragraph b) of Policy E9 of the Local Plan which states that development will only be permitted if 'the significance of the heritage asset has informed the proposal through an assessment proportionate to its importance.' i.e. the provision of a heritage statement/assessment of significance is not enough; it has to be shown that that assessment has informed the proposal. The only reference to any conservation matters in the TPA document is in paragraph 4 on page 3 which mentions local building materials.

It would appear that the site has been looked at as something to be principally considered from the roundabout (outside the conservation area) rather than from within the conservation area. The reference to this being a gateway site appears to confirm this, as does the use of the material and details which appear particularly to be inspired by 8 Newbury Street on the opposite side of the roundabout (stucco, pediment, ramped parapet etc.). The significance of the space between the existing almshouses and the historic buildings to their south, i.e. the east end of the Town Acre, does not appear to have been recognised.

The proposal, at three storeys, would be significantly higher than the existing historic building in the conservation area in the streets to the south, including e.g. East Street. The reason for the adoption of three storeys is not given in the documentation, although the reference to it being a 'gateway building' perhaps justifying a greater height and scale than the existing grain of the conservation area. There is only one three-storey building in the vicinity; Swan Court a row of shop and offices, probably of the 1950s, on the west side of East Street, opposite the United Reformed Church. This predates the roundabout and is aligned on the original course of East Street, hence its relationship with the roundabout is poor. Apart from this building (not one of any architectural interest), all of the other buildings (apart from Threadneedle House, some distance away and much obscured by trees – and certainly with little visual presence) around, and seen directly from, the roundabout, are historic two-storey structures. Therefore, in respect of its height, the only existing building the new building is emulating is one which itself is harmful to the character and appearance of the conservation area. While it is clear that any new development on this site would need to address the roundabout (a very public elevation) this is but no means the only, or even the principal, design constraint of the site in conservation terms.

Paragraph 126 of the NPPF suggests that Local Authorities should take into account 'opportunities to draw on the contribution made by the historic environment to the character of a place'. The site, as described above, is an interesting one, being part of the former Town Acre, where the historic settlement met open country, yet the proposed development appears to have been designed without any conscious reference to this, to the meaning of the space between the almshouses and the urban landscape to its south. This site, with a complex layer of historic development and meaning and its corresponding spatial character and existing historic fabric could, and should, have informed the proposed development, which itself could have drawn on and reinforced that character. This is a considerable lost opportunity.

*Comments on further information and amended design*

Adelaide Road has cut across the historic Town Acre, but despite this the long rectangular space is clearly seen to continue across the road and is unobstructed by buildings. Late C19 maps show that this distinction between the green space and the highway access from East Street to Rack Close and Adelaide Road is an historic one. There is a change from a soft to a hard landscape character but the proportions of the space have been retained. So the setting of the south side of the almshouses has not radically changed since at least the late C19. (NB. The 1850 tithe map shows the Town Acre extending to the space in front of the south side of the almshouses and no roads link the north end of Adelaide Road and Rack Close to East Road at this date.)

The buildings to the south of the almshouses are historic and contribute to the character and appearance of the conservation area. One of the three buildings mentioned is actually listed (the church) and the former pub dates from the early C19 and has an interesting and characterful later C19 ground-floor frontage. Conservation areas are areas of architectural or historic interest. The buildings reflect the history and environment of the areas and although they can individually be ordinary, collectively they help to define an area.

The buildings which can be seen in relation to the almshouses, and therefore may be said to be potentially in their setting, also include the Parish Church of St Mary, 54 East Street and buildings in both Newbury Street and Church Close.

The north elevation of the United Reformed Church was historically a side elevation and not its most significant.

There may be merit in reinstating some of the historical built form in the space between the United Reformed Church and Acre Almshouses, as part of a scheme that is properly informed by the significance of the heritage assets affected, but of course because of the approach road to the roundabout the site of the former buildings is under tarmac and no longer available.

A heritage statement, if intended to be an assessment of the significance of the heritage assets as required by paragraph 128 of the NPPF, is just that, an assessment of the significance of the assets affected by the proposals. The submitted statement in this case provides a detailed assessment of the significance of the almshouses but fails to do the same for the significance of the conservation area, a designated asset, as opposed to the contribution which the almshouses make to that significance, which *is* touched on. However, since the statement is dated June 2016 and the design of the proposals would appear to have been finalised by January 2016 (date of design and access statement), it should have been straightforward to extend the heritage statement to assess the impact of the proposals on the significance of the assets affected.

The Addendum Document offers no significant further support in justifying the assertion that the proposed building will not harm the significance of the conservation area. It is argued that the proposed structure will be a 'landmark building' and that this will mitigate the harm to the character of the conservation area, but how the proposed development will do this and whether the new building itself, landmark or otherwise, would result in harm to the character of the conservation area is not explored.

The content of the revised Design and Access Statement suggests that the decision to demolish the existing almshouses and the design of the proposed replacement buildings was not informed by an application of the advice in the NPPF or the policies in the Test Valley Local Plan. The site appears to have been assessed more as a pure design exercise rather than one which was required to be informed by the NPPF guidance and local plan policies, with the heritage input being considered at a fairly superficial level, e.g. in terms of taking inspiration from the existing building styles, materials and detailing in the conservation area as a whole, rather than the immediate surroundings of the site in particular.

There are some minor changes to the design. One of these is to alter the proposed two-storey pavilion at the west end, so that it presents an elevation parallel to East Street and the front of the United Reformed Church, to turn the corner and better relate the pavilion to the church façade, although the revised west elevation would arguably compete with that of the church, its large doorway being of comparable scale to the latter's. There are also some changes to the materials proposed, with the introduction of more brick.

The submission of the street views is noted. They help to assess the impact of the proposed development in respect of the existing neighbouring historic buildings in the conservation area. Some further perspective views showing the proposed building in context are supplied but almost all of these are of the roundabout and East Street elevations, from outside the conservation area, which appears to reflect the designer's assessment of the site as a 'landmark development' on a 'gateway site', and that the views from these directions are what matter principally. There is only one view of the scheme from within the conservation area, looking at the south elevation from Rack Close. Comparison of this view with the view of the existing building from the same location shows clearly how the scale of the proposed building would be significantly greater, both in terms of bulk and height, than that of the existing C19 and C20 development in the network of small streets and alleys south of the site, and therefore how it will be likely to significantly alter the character of this part of the conservation area. None of the perspectives show the new building in relation to the existing buildings and spaces in the conservation area, apart from in relation to the façade of the church. There are also no sections through the site and its immediate setting to allow any differences in size and scale to be assessed.

Initial sketch plans for schemes are provided (A-D), the first three incorporating the existing buildings in some form or another, the last, the progenitor of the submitted proposals, requiring their demolition. However, no information is provided as to why the first three options were rejected and the fourth adopted, other than the latter was 'considered to be the best option'. The size and scale of the first three options, based on the sketch plans, appear to much better reflect the pattern and grain of the existing development in this part of the conservation area than the proposed building.



The statement: ‘...my initial assessment as the architect had been confirmed by our conservation consultant...’ is telling. Any development affected heritage assets should be based on an understanding of the significance of these assets so the impact on that significance can be taken into consideration in the design process. This understanding should inform the design, as required by the NPPF and Local Plan Policy E9. In this case this process was reversed.

It has never been an argument of the LPA that Acre Almshouses would meet the criteria for listing, and consequently it made no such request. The value placed on them is as a building of local interest, i.e. a non-designated heritage asset, within, and contributing to, the significance of, the Andover conservation area. That this was the right approach would appear to be supported by the Historic England report which confirms that they should be considered as of local interest.

The contribution of the building to the overall character and appearance of the conservation area is necessarily limited, as it is a small building in a large conservation area. However, it is not considered that its peripheral location should be seen as evidence that the building makes only a minor contribution to the character and appearance of the conservation area. It is within the conservation area, and was no doubt included because it was considered that it does have a contribution to make. As has been argued, it is considered that it contributes substantially, both in terms of its architectural and historic interest to the significance of that part of the conservation area (a designated asset) in which it is sited. To the south it is juxtaposed with an historic space, the URC Church, a listed building, and a number of non-designated heritage assets, included the former Andover Arms, a non-designated heritage asset; to the east it is juxtaposed with the historic area of open ground called the Common Acre, with which the foundation of the almshouses is closely connected.

*Assessment of impact of proposed redevelopment on the conservation area*

That part of the Andover conservation area affected by this proposed development can be divided into three distinct areas:

1. the site itself, including Acre Almshouses, bounded by East Street to the west and Adelaide Road to the east, and by the United Reformed Church, 8 Rack Close and 25 Adelaide Road to the south;
2. the area around Rack Close to the south, bounded by Adelaide Road to the east, the rear of the properties on East street to the west, as far south as the C20 developments of blocks of flats;
3. East Street and the historic buildings fronting onto it, from no. 32 to the south and up to the URC to the north.

The proposed building will change the character of this part of conservation area profoundly. The existing site is largely open, part of an historic formal urban space: Town Acre. This is bounded by the modest two-storey almshouses on the north side and older two-storey buildings on the south side. The proposed building, of three storeys, will be a continuous curved structure, stretching from adjacent to the URC at the west to a point approximately half way along the Adelaide Road frontage of the site at its east end. It will create an irregularly shaped informal space to its south, quite different from the existing formal space, and further reduce the visual connection between it and the rest of the Town Acre, on the opposite side of Adelaide Road to the east.

The character of the space will be further eroded by its subdivision into gardens, paths, parking etc. The new building will be considerably larger and taller than the existing buildings. It will be of a different order of scale of a different order from the existing development and will be very likely to dominate the northern part of this part of the conservation area.

This overwhelming quality will be particularly apparent when it is viewed from the area of small streets and alleys around Rack Close. The existing almshouses form a modest end stop to the view north along Rack Close, the axis of which they are very nearly on. This part of the conservation area is not characterized by buildings of this size and scale of that proposed. It typically consists of individual, pairs and terraces of small two-storey houses, mainly dating from the C19 and later. The historic development has been carried out in a piecemeal fashion and includes buildings facing onto the streets but also at right angles to them, addressing connecting alleyways. Overall the character is of humble dwellings that housed the poorer residents of Andover. It is unfortunate that some of this historic development was replaced by the post-war flats at the south end of Rack Close and Adelaide Road; this latter area is rightly outside the conservation area. The absence of any drawings or other illustrations submitted to show the new development in relation to the Rack Close area of the conservation area may be indicative of a lack of consideration given to the character of this area in the formulation of this design.

The character of the above area contrasts with the character of the historic development fronting on to East Street. East Street appears to have been developed earlier than the Rack Close area behind it, and was historically more prosperous, as evidenced by the larger C18 and C19 houses on its east side. These are mainly of two storeys, with a couple of three storey houses, and the scale of this development is larger than that of the Rack Close area. At the north end of East Street is the only larger structure in this part of the conservation area: the United Reformed Church with its monumental pedimented west front. But even this building has two-storey elevations, the upper windows lighting galleries within. However, despite its larger scale, it does not dominate this part of the conservation area. The proposed new development, particularly the west and north elevations, has been designed in relationship to the East Street buildings, influencing its loosely classical style and dictating how it drops to two storeys at the south-west end, adjacent to the URC.

In respect of its north elevation facing the roundabout, the proposed development has been conceived as a 'landmark building', largely as a standalone structure, but with some reference to the East Street buildings. This may have suggested the use of a symmetrical classical design. The design process appears to have favoured the building's relationship with the area to the north, outside the conservation area, over that part of the conservation area to the south.

The proposed materials, polychromatic brickwork (buff and red) appear to have been inspired by examples of modern development in Andover, as illustrated in TPA Architects statement (revised May 2017), which uses these materials. The existing almshouses do, of course, also have some polychromy, with buff brick used as quoins, but these are details, the predominant material is red brick. There is no building in this part of the conservation area, new or old, which displays the use of polychromatic brickwork to the extent proposed here.

The proposed building would result in harm:

1. Size: height, bulk and length in particular;
2. Harmfully alters existing historic urban spaces;
3. Does not reflect or enhance historic urban spaces;
4. Dominates existing development in the conservation area to the south of the site;
5. Use of materials in a manner which does not reflect the character of this part of the conservation area;

The harm is considered to be less than substantial.

The proposed development would be contrary to paragraphs a) to d) of Policy E1 and paragraphs a) and b) of Policy E9 of the Test Valley Borough Local Plan 2016. The 'less than substantial harm' will not be outweighed by any conservation-related heritage benefits.

### *Conclusion*

It is the judgment of the Design and Conservation team in this case that the proposed demolition of the existing almshouses and the proposed new building will result in substantial harm to the significance of the almshouses and also harm to the significance of the conservation area. For these reasons the applications should be refused unless there can be shown to be public benefits that would outweigh this harm, bearing in mind the requirement of paragraph 132 of the NPPF that 'great weight' should be given to the conservation of designated heritage assets. It has not been shown that the existing building cannot be retained and reused in this case or that the accommodation required cannot be achieved on the site, retaining the almshouses or indeed exclusively or partially elsewhere.

## **5.2 Historic England - Objection**

### *Summary*

This application proposes the demolition of the Acre Almshouses which date from the mid-19th century and which make a positive contribution to the special architectural and historic interest of the Andover Conservation Area. The loss of the building would not preserve or enhance the character or appearance of the conservation area and would result in harm to this heritage asset. This harm has not been minimised nor justified and therefore does not meet the requirements of the National Planning Policy Framework nor your own conservation policies. We therefore object to the application on heritage grounds.

### *Historic England Advice*

The Acre Almshouses were built in the mid-19th century. They have been altered with new windows and an extension on the north side but their original form is still legible and their historic character is evident. They are considered to be a building of local interest and they are within the Andover Conservation Area. Along with the historic buildings of New Street, Church Close, Newbury Street and the north end of East Street the alms houses make up the historic character and appearance of north-eastern edge part of the conservation area. The almshouses form part of a more closely associated cluster of historic buildings with the 19th century building to the south-east (former public house?), the United Reformed Church (listed grade 2, early 19th century) and no. 54 East Street (listed grade 2, early 18th century). When the boundary of the conservation area was drawn there was clearly a conscious decision to include the almshouses. Having visited the site I conclude that the almshouses make a positive contribution to the special architectural and historic interest of the Andover Conservation Area.

This proposal would result in the demolition of the almshouses and their replacement with a much larger building. The loss of the almshouses would inevitably result in harm to the significance of the conservation area by eroding its special historic and architectural interest. In my view the proposal would not preserve or enhance the character or appearance of the conservation area. Simplistically if this building was demolished the boundary of the conservation area would have to be redrawn to exclude this site as the 'special architectural or historic interest' would be entirely lost. Considered within the context of the conservation area as a whole, this being the designated heritage asset, I assess this to be less than substantial harm in the terms of the National Planning Policy Framework (NPPF).

### *Policy Context*

As the application affects a conservation area, the statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (s.72, 1990 Act) must be taken into account in the first instance by your authority when making its decision.

Under the NPPF it is a core planning principle to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations (para.17 NPPF). 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. No other planning concern is given a greater sense of importance in the NPPF. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (para.132, NPPF). The onus is therefore on you to rigorously test the necessity of any harmful works.

The level of harm in this instance would be less than substantial in my view but there is still the requirement to provide a clear and convincing justification for the harm, nevertheless. This proposal does not adequately justify the harm.

There is no convincing explanation as to why the existing alms house could not be retained and extended, for example.

Your authority should also aim to achieve sustainable development, seeking economic, social and environmental gains jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions (para.8 NPPF). Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment (para.9 NPPF). Your authority should therefore also seek to improve proposals so that they avoid or minimise harm to the significance of designated heritage assets.

Planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. This proposal fails to respond to the significance of the conservation area.

If a proposal cannot be amended to avoid all harm, then if the proposal would 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 (para.134, NPPF). It is important, however, that in the first instance every effort is made to minimise harm to the conservation area. If your authority considers the delivery of housing for the elderly in this location a public benefit (it is not my remit to comment upon this) I would welcome an amended scheme which retains the existing almshouses, extends them and improves their setting. This would constitute a scheme which would better reflect the need to preserve or enhance the character or appearance of the conservation area while providing a sensitive development which has potential to deliver public benefits. However, in its current form the proposal fails to meet the requirements of the NPPF and your own conservation policies.

#### *Recommendation*

Historic England objects to the application on heritage grounds.

We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 129, 131, 132 and 134. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas must be taken into consideration

### **5.3 HCC Archaeology – No objection subject to conditions**

I would refer you to the Heritage Statement and the Historic Building Assessment submitted with this application. It identifies the site as a red line on all maps which equates to the site of the alms house, but the proposed development (and impact of development) is over a wider area. It is possible therefore that these supporting documents understate the impact and the archaeological potential.

None the less it is recognised that the buildings might have some archaeological potential (para 5.29), there is the potential for buried archaeological remains of the earlier alms-houses historically on this site (para 5.30) and there is the potential for buried archaeological remains relating to earlier archaeological periods (para 5.31). The report is of the opinion that archaeological issues are not overriding and on that point I would concur.

Unfortunately the suggested mitigation does not offer any comfort to the planning authority to satisfy them that the archaeological issues identified will be addressed, instead it recommends that the planning authority consult their archaeological advisor.

In the absence of a mitigation strategy I would suggest that two archaeological conditions are attached to any planning permission issued.

One condition should secure the archaeological recording of the existing building as an 18<sup>th</sup> century alms-house in so far as the building currently illustrates or sheds light on the construction, operation and social context of the 18<sup>th</sup> century alms-house. (whilst the report identifies such recording is probably needed it does not set out the precise requirements and I would suggest that these will need to be explicit within any future submitted written scheme of investigation).

The other condition should secure below ground archaeological recording. I would recommend that the condition secures an archaeological watching brief during the relevant stages of development in order to ensure that archaeological remains encountered are recognised and recorded. I anticipate that the provisions of this watching brief will be described within a future submitted written scheme of investigation.

#### 5.4 **Test Valley Design Review Panel – Comment**

The Panel noted that the existing building is not of great quality and that the changes in road layout in the 20<sup>th</sup> century have created a large roundabout to the rear. The scale of the existing building now appears incongruous as the context and the whole scale of the area have changed. There are three storey buildings in the area around the almshouses.

The Panel considered that the context of the almshouses has changed dramatically since the existing building was built in 1867. The proposal would represent continuity of use – the next chapter of almshouses on the site. They considered that the proposed building responds to the road layout and is an appropriate response in scale and massing. The design responds to the context by facing the road, creating an urban presence, and is a relatively formal composition with a house at one end. It would create a gateway to the Conservation Area.

The internal layout ensures that the principal elevation of the accommodation faces south, avoiding the road, without leaving a blank front elevation.

The detailing of the building will be important, for example the deep eaves will need to be appropriately treated so that the underside, which will be visible, is of suitable appearance. The Panel were confident that appropriate detailing could be achieved.

#### 5.5 **TVBC Highways – No objection subject to conditions and S106 agreement**

The site is located close to the town centre, primary school, convenience store and doctor's surgery. The applicant states two car parking spaces and the

provision for mobility scooter parking/storage will meet the mobility needs of future occupiers of the almshouses. The applicant seeks a variation in the parking standard consistent with policy T2 in this situation as there is likely to be a low demand for private car for transport. The applicant further proposes to give access to 9 retained car parking spaces adjacent to the shop and number 8 Rack Close, with a further 3 car spaces provided for 'public use'.

Part of the site consists of parking places within a controlled resident's parking zone and public car park and this requires amendment to the on street and off street Traffic Regulation Orders should the proposal be approved. Furthermore a 2m wide footway is proposed and access to land adjoining the site is proposed and a public right of way would need to be secured. A s106 agreement is required to promote and implement the amended orders and agreements.

The applicant proposes to retain existing access with fewer anticipated vehicular movements and maintain existing access to shop/8 Rack Close/Rack Close and car park to church.

The applicant should note the proposed width of the car space adjacent to the bin store is too narrow to allow opening of the doors on either side of a parked vehicle and this should be increased to 3m between the adjacent walls. Also the car space adjacent to landscaping on the north side of the block of 4 car spaces facing Adelaide Road should be widened to 2.7m to allow space to manoeuvre a vehicle in the space and to open car doors on both sides. This car space should also be laid out, marked and signed to differentiate it from the 'public' car spaces.

*[Officer note: The amended plans alter the width of the spaces to address this matter]*

A s106 agreement is required, which shall ensure:

- Provision and maintenance of hardstanding, 12 parking spaces and path;
- Hardstanding, 12 parking spaces and path are made available for the public to pass and repass in perpetuity;
- 12 parking spaces are laid out and made available in perpetuity for the public use of, with or without charge and enforcement of 'on' and/or 'off' street Traffic Regulation Orders applied to 12 car parking spaces;
- Prior to commencement a financial contribution to promote the amendment and enforcement of 'on' and/or 'off' street Traffic Regulation Orders for public use of 12 car parking spaces shown hatched green on the attached plan;
- Construction management plan is submitted for approval to provide, maintain and access to 5 car parking places, vehicular access to 8 Rack Close and the car park to Church throughout the construction period.

Conditions are required to secure areas for parking of cars, bicycles and mobility scooters before occupation.

## 5.6 **TVBC Trees – Comments (summarised)**

Site lies within conservation area which infers protection on the trees present – one pear to frontage of building, group of Field Maples to east and a pollarded Lime in car parking area to rear. The pear is a poor tree, although well placed to provide screening to existing extension of low architectural merit on the existing building. The Field Maples are individually poor but collectively have considerable merit, adding to the area's tree cover they are prominently situated to give good levels of amenity value. The Lime is the only remaining tree in the car parking area and as such is local of high amenity value.

Trees bring considerable benefits to the urban landscape. This current proposal allows for the retention of the Lime tree, but requires the loss of all other trees here. Such losses are unacceptable. If any amended scheme is put forward it would need to either allow for the replacement of the Pear and retention of the Lime and Field Maple or to offer at least equivalent volumes of replacement planting and demonstrate how such planting would be able to establish to independence in the landscape.

### Comments on additional tree information and amended plan

No objection to the revised plan. The applicant has submitted information to show that they are aware of the concerns and problems that need to be resolved. However no detail has been provided with regard to this specific site to show how existing trees will be protected and proposed tree planting will be achieved. Further detail is required to demonstrate diligence in designing out future disruption to ensure that not only is the proposed planting deliverable on completion but that it can, so far as may reasonably be predicted, be retained to deliver the benefits as designed.

## 5.7 **TVBC Landscape – Comment**

This is an entrance point to and key town centre site. Whilst the rears of the Alms-houses (buildings of local interest) are not of particular detail or quality their loss and change to such a large building will have an impact on this key town centre location.

The proposed scale, with regards to the urban setting and existing space and landscape, changes the character. The street scene provided does not portray the difference in set back from the highway and impact on character. The existing (conservation area) buildings on East Street are set back upon the old road with tree planting between part of the main highway and the building frontages.

This proposed unit is incredibly close to the highway and much larger in overall scale even with the stepped down sections. It will change to character of this site and approach to the town.

Whilst a site such as this, for development, would require a suitable building at a key location, it should respect the setting and take not from successful buildings in the locality.



Comments on additional tree information and amended plan

The site needs to make more contribution to the green surroundings on its context. There is ample frontage space which could be landscaped, with smaller feature (perhaps multi-stem) trees giving privacy to ground floor occupants but creating a contemporary landscape that fits with a new proposed building. Frontage hard landscaping is not required as existing highway footpath is provided to the front door.

The building needs to respond more positively to the green setting – these details need to be worked through and can be provided by conditions.

With regard tree details, the Trees Team have made comment. It is critical to the site to be able to contribute to the overall setting of the conservation area and site context to the town centre.

**5.8 TVBC Housing – Comment**

The net gain of 8 dwellings on this site does not trigger an affordable housing contribution through COM7.

Further comments:

Andover Charities at present, have not signed up to Hampshire Home Choice or confirmed they will seek nominations via HHC for the new homes. It was suggested but has not been confirmed.

The criteria for Andover Charities homes are ‘a person of good character who are residing in the Ancient Parish of Andover.’ These homes would be for applicants of mature age.

I have set out below statistics from the Housing Register for applicants who would fit this definition:-

<b>ONE BED HOUSING NEED</b>			<b>TWO BED HOUSING NEED</b>		
No of Applicants	Age 40 – 54	Age 55+	No of Applicants	Age 40 – 54	Age 55+
237	90	147	8	2	6

Although the need for two bed housing is low, under occupation may be considered to enable a carer to live in or stay to assist with the care needs of the occupier and this would increase the level of demand.

The Almshouses do not charge rent but weekly maintenance fees which are often less than social rent levels. This provides affordable housing to those on very low incomes who struggle to afford affordable rent homes and provides an essential form of housing to the Borough.

If we could secure nominations via Hampshire Home Choice in the S106 Agreement, this would be very beneficial.

**5.9 TVBC Environmental Protection – No objections**

It has been our experience that to position principal living areas in one property directly adjacent to a bedroom in another increases the likelihood of problems with noise given the inevitable difference in the use of such spaces. This situation may be exacerbated if some of the residents are hard of hearing. As such the applicants may wish to look again at the relationship between flats 1 and 2, 3 and 4 and 5 and 6, in order to try and provide the best living environment.

**5.10 TVBC Policy – Comment (summarised)**

Through redevelopment, the proposal would result in a net gain of 8 dwellings (almshouses), together with the loss of 20 long stay public car parking spaces (The Acre).

The National Planning Policy Framework (NPPF) is a material consideration. Planning obligations for affordable housing and public open space should be sought.

**5.11 HCC Ecology – No objection subject to conditions**

The application is supported by a bat survey report (AA Environmental Ltd, June 2015). A small amount of evidence of bats was found during the visual inspection and therefore a number of emergence survey visits were carried out. No bats were seen to emerge from or return to the building during these surveys. It was concluded that the building had supported bats but that it no longer functions as an active roost. This would appear to be a sensible conclusion, as the only bat droppings found were noted to be old.

Bats receive protection under UK law via the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Habitats Directive, which is transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (commonly referred to as the Habitats Regulations). Developments that affect legally protected species are also likely to be contrary to policy E5 of the Test Valley Revised Local Plan DPD.

Developments that affect bats will need a European Protected Species (EPS) licence from Natural England before any work that affects bats could commence.

Local Planning Authorities are required to engage with the Regulations: planning permission should be granted (other concerns notwithstanding) unless the development is likely to result in a breach of the EU Directive and, if a breach is considered likely, that the development is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

In view of the survey findings I would advise that the development is unlikely to result in a breach of the law protecting bats and I would raise no concerns.

However, given that the site has previously been used as a bat roost, and that bats can unexpectedly start to use a site, a range of precautionary measures have been recommended. I would support these, and if you were minded to grant permission I would suggest these are secured by condition. I would also support the recommendations for bat roost enhancements.

6.0 **REPRESENTATIONS** Expired 05.10.2017

6.1 **Andover Town Council – Objection**

The building next to the church does not enhance the design of the rest of the development.

Concerned about the width of the footpath. Many cyclists use this route and 2 metres may not be wide enough to accommodate cyclists and pedestrians.  
Concerned that the shop may lose the current 1 hour free parking.

6.2 **12 objections received** from: 14 Vigo Road; 63 Watermills Close; 89 Berry Way; 18 Adelaide Road; 77 Wolversdene Road; 38 Georgia Close; 8 Lansdowne Avenue; Meadow View, Coley Lane, Chilbolton; 2 x no address given

**1 objection received** from a number of local businesses: Grahams Tailors; Austin Hawk; Buyspecs Direct; Bournes  
Raising the following issues (summarised):

Loss of existing almshouses

- Forms part of the history of Andover – can ill afford to lose more.
- Consigning another beautiful part of Andover to history.
- Vandalism of the highest order.
- Existing building makes a significant contribution to the overall character and appearance of the area; demolition would be of detriment to the local area.
- Proposed building would cause significant harm to the conservation area and the setting of the other buildings within it.
- At odds with statutory duty to “pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area”.
- Almshouses should be listed – TVBC should apply to have them listed.
- Proposal not informed by the significance of the heritage assets.
- Contrary to policy E9 of the RLP.
- Should celebrate our heritage.
- Enough of historic Andover has been demolished.
- TVBC have a duty to recognise the importance of the almshouses to the heritage of the town and the conservation area.
- Sure that the present almshouses need urgent attention and may not currently be fit for human habitation but that should be no problem for a builder to remedy. Why do they need to be knocked down? Same situation arose in 1975 with the Pollen’s almshouses which were sold and are now private houses in prime condition.
- Properties are of a very satisfactory appearance and works should be carried out or be sold to fund new builds elsewhere.
- Should sell and put money towards site elsewhere that is not in a precious and historic part of the town instead of wasting money demolishing houses from which a considerable sum could be raised.
- Fundamentally the issue comes down to one of the commitment of TVBC and its planning committee to the status of the special conservation area. Either we have such designations to protect our heritage or we don’t.

### Impact of proposed new building

- No guarantee that funds needed to rebuild will be raised.
- Design not in keeping with the area.
- Proposed large, modern two storey apartment block would significantly affect the conservation area.
- Significantly imposing building proposed; would dominate the conservation area, changing it irrevocably.
- Modern three storey housing development would have a major and irreversibly damaging impact on this conservation area.
- The late chairman of Andover Charity Trustees welcomed the debate of contentious issues in order that the right result should emerge, and would not have endorsed that something that should be carried forward just because he wished it. There is a likelihood that such an argument will be used to pass the plans. A conservation area should mean just that and it is outrageous to demolish buildings intended to be conserved in order to replace them with something that is not only new but wholly inappropriate to the look and feel of the area.
- The view from East Street to Recreation Road still exists, an historic tract called the Common Acre, free to anybody who may have wished to take exercise there over hundreds of years past. The new building will destroy forever that vista.

### Parking

- Where will people living in the flats, as well as long suffering existing residents park?
- Very limited parking in this area already.
- Will create more traffic in an already dangerous exit.
- Request that further consideration is given to maintaining current parking levels.
- No current plans to ring fence proposed spaces for zone A parking permit holders.
- Parking for residents of Adelaide Road is already very restricted with there appearing to be no restriction on how many permits one household can have or the type of vehicle – many have large commercial vans parking as well as people using residents spaces for dropping off/collecting children from school and using the pharmacy.
- Residents have been stopped from parking in Beales Close, limiting parking even further. If we were to lose the zone A spaces outside the shop it would have a devastating effect on residents who own properties on Adelaide Road.
- What is the legal status of the car park on the lower part of the old Common Acre?
- Loss of revenue from car park – where does revenue currently go?
- Loss of benefit of car park to the shops in Swan Court.
- Within the car park is a line of free spaces of one hour's duration. Are there any historic reasons why no charge is levied on that area?

### Other

- While the houses might not be suitable for modern Almshouses they could be sold on the general market and new built elsewhere with the profit.
- Concerned about the further demise of shops in Swan Court Shopping Precinct if you take further car parking capacity adjacent to Swan Court.
- Detrimental impact on both businesses and residential owners at Swan Court.
- Potential loss of business to the High Street.
- Suggest using alternative site in TVBC ownership.
- Space could be found elsewhere to provide the homes required.
- Is there an unspoken legal complication with that entire block of land, connected with its common status?
- Nobody doubts the need to provide more housing for those in need.
- Should refuse permission and stop pandering to the developers and allowing iteration after iteration of the plans.

## 7.0 **POLICY**

### 7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

### 7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

COM2: settlement hierarchy

COM7: affordable housing

COM15: infrastructure

E1: high quality development in the borough

E2: protect, conserve and enhance the landscape character of the borough

E5: biodiversity

E7: water management

E8: pollution

E9: heritage

LHW4: amenity

T1: managing movement

T2: parking standards

## 8.0 **PLANNING CONSIDERATIONS**

### 8.1 The main planning considerations are:

- Principle
- Affordable housing
- Impact on heritage assets and the character of the area
- Highway impacts and parking
- Economic impacts
- Ecology
- Amenity
- Water resources
- Planning obligations and CIL
- Other matters

### **Principle**

### 8.2 The application site is within the settlement boundary of Andover and therefore having regard to policy COM2 development and redevelopment will be permitted provided that it is appropriate to the other policies of the Revised Local Plan.

### **Affordable housing**

- 8.3 Policy COM7 of the RLP seeks to secure affordable housing for schemes which include a net gain of 10 or more dwellings. The proposal is for a net gain of 8 dwellings and as such there is no policy requirement for any of the new dwellings to be affordable housing.
- 8.4 It is however relevant to consider the supporting text to policy COM7 and the impact of the loss of the existing almshouses. The 2018 NPPF defines affordable housing as:  
*“housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:*
- a) Affordable housing for rent*
  - b) Starter homes*
  - c) Discounted market sales housing*
  - d) Other affordable routes to home ownership”*
- 8.5 The applicants (the Charity Trustees) set out in their Design and Access Statement that the existing almshouses residents do not pay rent, but pay a “maintenance contribution”. The Charity Trustees set these contributions to take account of the circumstances of the residents; the type of accommodation provided; the need to service mortgages and loans and to recover their Resident Social Landlord obligations. It is considered that the existing almshouses can be considered as affordable housing within the relatively broad definition in the NPPF.
- 8.6 The applicants propose that the replacement dwellings would be almshouses. For these to be considered as affordable housing, rather than market dwellings, the occupation of these dwellings would need to be restricted in some way such that they would be within the definition of affordable housing. The applicants have provided a copy of their Charity Commission Scheme. This demonstrates that they, as Charity Trustees, are required to provide the almshouses for the residents of almspeople, who shall be “poor persons of good character who (except in special cases to be approved by the Commissioners) are resident in the area of the Ancient Parish of Andover at the time of appointment” and that they may require a contribution towards the costs of maintaining the almshouses. This appears to be a form of rent control. Having regard to the information provided, it is considered that the replacement almshouses would be subject to the same restrictions, secured through the Scheme and can be considered as a form of affordable housing.
- 8.7 The Scheme also sets out that the Trustees cannot dispose of charity land as they see fit, and would need the Charity Commission’s approval for any disposal. So long as the land is still required for the charitable purposes, such approval would not be forthcoming. The applicant refers to instances where almshouses have been sold, but this has been used to fund provision elsewhere. It is therefore considered that there can be confidence that the replacement almshouses would be secured through the Scheme in perpetuity.

- 8.8 In the circumstances, it is considered that the proposed dwellings would be secured as almshouses in perpetuity by the Charity Commission Scheme that exists for the application site. Restrictions on the occupation of the dwellings would not therefore need to be secured by condition or as a planning obligation as this would be duplication of existing controls. The proposal would therefore result in a net gain of 8 units of affordable housing which is a benefit of the scheme.
- 8.9 It is understood that vacancies at Acre Almshouses are advertised locally and interested parties apply to the Almshouses Charity Trustees (the applicants) and are assessed and selected by them. Clearly, to qualify for an almshouse under the terms of the Charity's Scheme, they would need to be local people in significant need and as such would meet a need for housing of this type. The applicants have however been unable to provide any information about need for such properties other than to give details of the number of applicants that they have received for vacancies. It is understood that no vacancies at Acre Almshouses have been advertised for several years due to the condition of the building and the redevelopment plans. No information has been provided about the level of more recent interest in other Almshouses in the local area. It is therefore difficult to estimate the level of demand for almshouses of the type proposed.
- 8.10 The only evidence of need for affordable housing available to the LPA is from the Housing Register. This demonstrates that there is a need for 237 one bed dwellings and 8 two bed dwellings at the present time. There is clearly a significant demand for smaller properties.
- 8.11 At present, the applicants have not signed up to Hampshire Home Choice (HHC) or confirmed that they will seek nominations for the Almshouses via HHC for the proposed new dwellings. There is no guarantee therefore that future occupants would be those on the Housing Register and that the affordable housing would reduce the number of people on that Register.
- 8.12 The proposal would therefore provide affordable housing to those on very low incomes and would provide an essential form of housing in the Borough. This is a significant benefit of the proposal. Should the applicants register with Hampshire Home Choice they would be able to secure nominations from people on the Housing Register, which would further enhance the offer of the dwellings by helping to meet the identified need.
- 8.13 Overall therefore, there would be no conflict with policy COM7 of the Local Plan. Other existing legal mechanisms would secure all of the new dwellings as almshouses as a form of affordable housing, and as such it is not necessary to secure this as a planning obligation.
- Impact on heritage assets and the character of the area**
- 8.14 There are multiple types of heritage asset relevant in this case. The Almshouses are considered to be non-designated heritage assets, as are 8 Rack Close and Adelaide Convenience Stores. The site is within the Andover conservation area, a designated heritage asset. It is also an area of archaeological interest and there are listed buildings adjacent (the United Reform Church) and nearby in East Street, Newbury Street and Church Close.

- 8.15 Policy E9 sets out that:  
*“Development and/or works affecting a heritage asset will be permitted provided that:*
- a) it would make a positive contribution to sustaining or enhancing the significance of the heritage asset taking account of its character, appearance or setting; and*
  - b) the significance of the heritage asset has informed the proposal through an assessment proportionate to its importance.*

*Development which will lead to less than substantial harm to the significance of a designated heritage asset will be considered against the public benefit of the proposal, including securing a viable use.*

*The merits of development affecting an undesignated heritage asset will be balanced against the scale of the harm or loss, either directly or indirectly, to the significance of that heritage asset.*

*The Council will only permit the loss of the whole or part of a heritage asset where it can be demonstrated that the new development will proceed after the loss has occurred.”*

- 8.16 The NPPF is a material consideration. In relation to the historic environment it sets out that:  
*“Heritage assets...are an irreplaceable resource, and should be conserved in a matter appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”* (Paragraph 184) and that, *“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”* (Paragraph 190).
- 8.17 Paragraph 192 sets out that: *“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“*
- 8.18 Paragraph 193 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”.*



The next paragraph is clear that, *“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”*.

- 8.19 Paragraph 196 and 197 of the NPPF are consistent with the balancing tests set out in policy E9 for harm to designated and non-designated heritage assets. Paragraph 198 is consistent with policy E9 in relation to not permitting the loss of heritage assets unless steps are taken to ensure new development will proceed after the loss has occurred.
- 8.20 Planning authorities have a legal duty under section 66(1) of the Listed Buildings and Conservation Areas Act to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. S72(1) requires that in respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.
- 8.21 There is therefore a clear direction in planning law, local and national policy to conserve heritage assets and they are given importance as irreplaceable resources. Case law in recent years has been clear that impacts on heritage assets must be given considerable importance and weight (e.g. *East Northamptonshire v. Secretary of State for Communities and Local Government* [2015] 1 W.L.R. 13).
- Impact on non-designated heritage assets
- 8.22 The existing building is attractive and externally largely unaltered other than extensions at the rear. Internally there have been considerable works and few original features remain visible, although there may be some, such as fireplaces, that remain although they have been blocked up. The principal elevation is to the south and is a strong visual presence in the conservation area. The building stands alone with car parking to the south and is very visible from the roundabout to the north. From surrounding roads it is seen in context with URC and 54 East Street, and properties on Adelaide Road.
- 8.23 An application was made to Historic England to list the Almshouses and a decision was issued in December 2017. Historic England judged that the building does not merit listing because the degree of architectural interest was as a modest design which is stylistically typical of the period and the building has undergone substantial alterations. Historic England concluded that, *“Acre Almshouses are of local interest for their continuation of the tradition of charitable housing provision on the site, but do not meet the criteria for statutory listing”*.
- 8.24 Although it is not listed, the existing building is considered to be a local building of interest, a view supported by Historic England. In terms of the values laid out in Historic England’s Conservation Principles, it has evidential, historical,

aesthetic and communal value. It also makes a positive contribution to the conservation area through its appearance, its function and its historic relationship with the pattern of development in the area. Its functionality as charitable housing is a key part of its significance. It is considered to be a non-designated heritage asset and as such the provisions of policy E9 and the NPPF apply.

- 8.25 The applicants' heritage consultant considers that the roundabout, local roads and car parks seriously compromise the immediate setting of the Almshouses. The Council's Design and Conservation Officer takes the view that the impact is not as great as might first be thought, because the building is designed to orientate southwards and historically had open space to the north, and this relationship with properties to the south remains.
- 8.26 The applicants set out that from 2003 to 2012 they have spent considerable sums of money (over £60,000) in an unsuccessful attempt to address continuing issues of damp, both from rising damp and incursion into the roof/gable ends. There are no damp courses and a gradual build-up of car park layers through resurfacing is identified as exacerbating the problems. The applicants consider that should the deterioration continue the building will be classified as unfit for habitation. The Heritage Statement also identifies erosion of exterior brickwork, cracking and damp inner plasterwork, the need to replace timber door and window frames as major issues contributing to the poor state of repair of the buildings.
- 8.27 It is understood from the Trustees that the property is currently occupied by two residents and that two flats are not occupied as they are considered unfit for habitation. No structural report has been submitted.
- 8.28 The applicants' heritage consultant considers that the condition of the building internally and externally reduces the contribution of the architectural value of the building to its significance. It has not however been addressed in the application whether these issues could be resolved. For example, the applicants have identified the height of the car park surfacing in relation to the building as an issue contributing to the damp problem. From the information submitted it does not appear that the attempts made to address damp have sought to deal with this issue. As such it would appear that there is an option available that has not been pursued, and which could reduce the damp problem.
- 8.29 The proposal would result in the complete loss of the existing building. Both the Council's Design and Conservation Officer and the applicants' heritage consultant agree that this would constitute substantial harm to the significance of the non-designated heritage asset.
- 8.30 The applicants state that incorporating the existing almshouses into a scheme was considered but was not considered to create a satisfactory solution that was cost effective due to the significant alterations needed internally and externally to bring the building up to current residential design standards. No details of the extent or impacts of such works have been submitted so it is not possible to give any weight to this issue.

- 8.31 The applicants' heritage consultant concludes that the loss of the existing 19<sup>th</sup> century building will be outweighed by the benefit of bringing the site back into full use, through the construction of modern facilities, whilst still retaining the site's historical context as the location of charitable housing. It has not been demonstrated that the existing building is not capable of repair so there is no clear or convincing justification for the harm identified.
- 8.32 Having regard to policy E9 of the RLP and the provisions of the NPPF, it is necessary to balance the merits of the proposed redevelopment of the site against the scale of the harm or loss to the undesignated heritage asset. This balancing exercise is set out in paragraphs 8.99 – 8.104.
- 8.33 Should the balance be found acceptable and permission granted, recording of the existing building could be secured by condition. This would add to the historic environment record and help to offset the loss of the building. Having regard to paragraph 199 of the NPPF however, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted. As such it would not be sufficient to mitigate the loss.
- 8.34 Other non-designated heritage assets at 8 Rack Close, Adelaide Convenience Stores (former Andover Arms) would not be directly impacted by the proposed loss of the existing building.

Impact on the conservation area and character of the area

- 8.35 *Contribution of the existing building to the conservation area*  
The Council's Design and Conservation Officer has assessed the contribution of the existing building to the conservation area in his comments which are set out in paragraph 5.1 of this report and are not repeated here.
- 8.36 The site is in a part of the conservation area that was historically on the edge of town and includes part of the Town Acre, which defines and explains the character of this part of the conservation area. As the site exists today, the proportions of the Town Acre where it falls within the site have been retained and this area contributes to the significance of the conservation area.
- 8.37 The applicants' heritage consultant sets out that the car park is run down and that the Town Acre remaining represents a severed and separated remnant of the former acre, such that the significance of its historical relationship with the remaining part of the former Town Acre is reduced considerably, and that the use for car parking and as a vehicle thoroughfare further impacts on this significance. It is recognised that the car park is not in particularly good condition but the open nature of the site is the former Town Acre and this openness retains the character and relationships between buildings that reflect this history.
- 8.38 The Almshouses are a prominent visual element in the conservation area, particularly in views from south-east around to the south-west, and in conjunction with nearby listed buildings. The modern roundabout impacts on the setting of the almshouses and this part of the conservation area, however it does not change the relationship of the almshouses to the historic properties to

the south. The existing building faces south and replaced earlier almshouses with the same orientation. The view towards the building from the south is considered to be important in the relationship of the almshouses to the space and buildings to the south.

- 8.39 The heritage statement notes the historic value from its age and functionality, including the re-use of the site for almshouses dating back to at least the mid-17<sup>th</sup> century. This history of consistent use for social housing is an important part of the building's significance and contributes to the significance of this part of the conservation area.
- 8.40 The applicants' heritage consultant identifies the contribution of the Almshouses to the overall significance of the conservation area as minor. The Council's Design and Conservation Officer disagrees and considers that although the contribution of the building to the conservation as a whole is limited, its peripheral location should not be seen as evidence that the building makes only a minor contribution to the character and appearance of the conservation area. It was included in the conservation area and its history, architecture and relationship to the nearby listed buildings and non-designated heritage assets reflect the history of this part of the town. The Town Acre is closely connected to the foundation of the almshouses and its ongoing relationship with this space continues to reflect the evolution and history of this area. It is considered that the Almshouses contribute substantially to the significance of this part of the conservation area both in terms of its architectural and historic interest. Historic England agrees that the almshouses make a positive contribution to the special architectural and historic interest of the conservation area.

*Impact of loss of existing building*

- 8.41 The assessments by the Council's Design and Conservation Officer and the applicants' heritage consultant both conclude that the loss of the existing building would result in less than substantial harm to the conservation area. This is supported by Historic England, who conclude that if the building was demolished the special architectural interest would be entirely lost and the boundary of the conservation area would need to be redrawn.

*Impact of the proposed development*

- 8.42 Policy E1 of the RLP sets out that:  
*"Development will be permitted if it is of a high quality design and local distinctiveness. To achieve this development:*
- a) Should integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles;*
  - b) Should not detract from the dominance of, or interrupt important views of, key landmark buildings or features*
  - c) Should be laid out to provide connectivity between spaces and a positive relationship between public and private spaces; and*
  - d) Makes efficient use of land whilst respecting the character of the surrounding area and neighbouring uses.*

*Development will not be permitted if it is of poor design and fails to improve the character, function and quality of the area.”*

- 8.43 The NPPF puts a clear emphasis on good design. Paragraph 124 identifies that, “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.
- 8.44 Paragraph 127 sets out that, “ *Planning policies and decisions should ensure that developments:*
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.*
- 8.45 Paragraph 30 sets out that, “*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.*
- 8.46 The proposed building would have a much larger footprint than the existing building, and be curved to follow the line of the road. It would face toward the roundabout with the rear facing Rack Close. The central element would be three storeys high, dropping to two storeys with two “tower” elements. There would be various hipped roofs, with parapet walls around two roof gardens. The south-western part of the building would appear as a two storey dwelling with a prominent door surround and low eaves. A bin store is proposed at the eastern end of the building alongside a car port, underneath one of the roof terraces.
- 8.47 The materials have been amended through the application process to remove render from the proposal. The building would now be yellow buff and plain red bricks with orange/red detail bricks in the yellow buffs, string and band courses and quoins. Slate roofs are proposed.

- 8.48 It is proposed to remove all existing trees other than a lime located in the car park. An indicative landscaping scheme has been submitted showing four new trees to be planted. A communal garden area and small patios are proposed at the rear with landscaping between. Further landscaping is proposed along the frontage between the building and the footway.
- 8.49 Paragraph 200 of the NPPF sets out that, *“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably”*.
- 8.50 The applicants state that the curved design relates to the shape of the site and is intended to shut out traffic noise and create a semi-private courtyard garden of enclosed space. The applicants consider that a degree of car parking needs to be retained along with vehicle access to the URC car park and existing residential properties.
- 8.51 It is recognised that any replacement building needs to respond to the site and the current road layout, however it also needs to respond to, and be informed by, its historic context.
- 8.52 Policy E9 and the NPPF make it clear that the impact of a proposal on the significance of heritage assets should be informed through an assessment proportionate to its significance. A Heritage Statement is required with applications that affect heritage assets. Heritage Statements should assess the significance of the relevant heritage assets and then go on to assess the impact of the proposed works/development on those assets. The scheme should be informed through the initial significance and the applicant should demonstrate that the considerable weight and importance has been given to conserving the special interest of heritage assets.
- 8.53 The applicants’ heritage consultant refers to the Historic Environment Good Practice Advice in Planning Note 2 by Historic England. This sets out six steps to identify the significance of a heritage asset and the potential effects on its significance as a result of any development:
- Understand the significance of the affected assets;
  - Understand the impact of the proposal on that significance;
  - Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF;
  - Look for opportunities to better reveal or enhance significance;
  - Justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change; and
  - Offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.
- The Note says that it is good practice to check each stage but they may not be appropriate in all cases and the level of detail applied should be proportionate.

- 8.54 The timing of the development of this scheme suggests that an assessment of heritage assets may not have informed the design of the scheme: The applicants' Heritage Statement is dated April 2016 and assesses the significance of the various heritage assets on the site and in the surrounding area. In paragraph 1.3 it states that, "*At the time of compilation of this heritage statement, no formal plans of the proposed new Acre Almshouses have been submitted, although it is stated that any new building will be of similar height and mass, and will occupy a broadly similar footprint to the existing*". The drawings submitted with the application in 2016 were however dated November and December 2013 and October 2015 with revisions in December 2015 and amendments to roof gardens in April 2016. The Design and Access Statement submitted with the application was dated January 2016.
- 8.55 The applicants' heritage consultant concluded in the original heritage statement that, "*...whilst the proposed development will clearly represent a significant change to this part of the conservation area, this change will not result in substantial harm to its setting, which locally already comprises a number of modern elements such as car parks, modern infrastructure and modern buildings. Reconstruction of a building in a similar footprint and of similar mass will not adversely affect key views to or from it from other designated heritage assets*". This conclusion was reached without any apparent knowledge of the redevelopment scheme proposed.
- 8.56 The applicants' heritage consultant recommends in the initial heritage statement that as mitigation for the impacts of the development, the proposed scheme should comprise sympathetic design in keeping with the character of the Conservation Area and Historic Core Character Area.
- 8.57 The application shows a building very different in height, mass and footprint to the existing building. From the information submitted, it therefore appears that the scheme was designed some time before the heritage assessment was undertaken. The heritage consultant was clearly not aware of the scale or design of the scheme when making his original assessment.
- 8.58 The applicants' have submitted a statement setting out that their architect assessed the conservation area and neighbourhood buildings during the design statement and that a heritage statement cannot be developed until various designs are trialled and the preferred solution is worked up. Local and national policy expects that an assessment of significance (i.e. the first part of a heritage statement) is carried out and informs the design process, and then a heritage statement would be completed by including an assessment of the final proposal. This has not occurred in this case. The applicants contend that the heritage statement did not identify any major issues so no design changes were needed. The heritage statement did not however assess the proposed scheme.
- 8.59 During the application process, the LPA sought to provide the applicants with opportunities to resolve the gaps in their assessment and to justify their scheme in relation to the impact on heritage assets, as required by local and national policy. The LPA requested further assessment from the applicants of the impact of the proposed redevelopment scheme on the conservation area;

information on the alternatives considered by the applicants and the reasons why these were not pursued, including an assessment of the impacts of those alternatives on heritage assets.

- 8.60 The applicants in their Design and Access statement advise that the brief was to consider a development of 8 dwellings on the site and that options considered included retaining and upgrading the existing almshouses together with new dwellings. The applicants have submitted brief details of other site layouts considered but no details of why the other options were rejected. The size and scale of the first three options, based on the sketch plans, appear to much better reflect the pattern and grain of the existing development in this part of the conservation area than the proposed building. The applicants advise that the scheme pursued was preferred because it responded well to the modern urban setting of the site and had the potential for making a bold statement on what was seen as a “gateway” site in Andover.
- 8.61 The applicants’ submit that once a feasibility scheme of 8 dwellings was worked up it showed that the size of the site was capable of taking, “a few more dwellings”. It appears therefore that the scale of the development grew based on an assessment of the size of the site without consideration of the importance of the space in front of the existing building or the relationship with the buildings to the south.
- 8.62 It is argued by the applicant that the proposed structure will be a ‘landmark building’ and that this will mitigate the harm to the character of the conservation area resulting from the loss of the existing building. How the proposed development would do this and whether the new building itself, landmark or otherwise, would result in harm to the character of the conservation area is not explored. The design responds to the roundabout and the modern context to the north, and in that respect achieves what it is designed to do. It does not however respond to the historic context to the south.
- 8.63 It is recognised that this is a prominent site on a route into the town centre and as such could be considered a “gateway” The scale and layout of the proposed building would be substantially larger than the existing building. As a result it would be very prominent in views from surrounding roads, particularly from the roundabout and approach roads to it. The proposed building is designed with articulated elevations to break up its mass from the front, however from the rear (south) the existing largely open site would be dominated by a continuous curved structure rising to three storeys in height. It would fundamentally alter the view north along Rack Close and the relationship with the modest two storey buildings to the south would be adversely affected, with the new building appearing dominant and overwhelming. This would not reflect the historic character and evolution of this part of the town, which was the edge of the settlement with poorer residents. It is considered that the proposed building would substantially change the character of this part of the conservation area.



- 8.64 The materials proposed appear to be drawn from examples of other more modern development in Andover. The use of buff brick is not characteristic of this part of Andover, where there is a mix of materials but red brick is particularly prevalent. Where yellow/buff bricks are present these are on more modern buildings such as Swan Court, which does not make a positive contribution to the streetscene. The applicants originally proposed the buff brick to complement a “Bath stone” coloured render, which has since been removed from the scheme. Red brick has been added instead of the render, to combine with the buff brick. This combination is not found in the local area, and does not reflect the character of the conservation area. The extensive use of buff brick will exacerbate the scale of the building, which appears to be intentional as the proposal is designed to be a “landmark”. The contrasting materials on the tower features will make them stand out, emphasising these features which are also not characteristic of the surrounding area. The proposal also includes detailing in a third brick colour around windows, openings, corners and as string courses. Little information is provided to set out how this design has been arrived at, other than to refer to other buildings in Andover. The use of materials and detailing appears to take various features from multiple buildings and results in a somewhat confused design which does not sit comfortably in its surroundings.
- 8.65 In terms of the layout of the site and the relationship to neighbouring buildings, historically there were cottages between the URC and the almshouses, fronting East Street, but the site of these is now underneath the road. The proposed building would extend around to the south-western part of the site and include a two storey dwelling in this location, but this would not be as far west as the historic buildings so would not make a significant contribution to reinstating this historic relationship.
- 8.66 The space created to the south of the building would be irregularly shaped and an informal space quite different in shape and feel to the existing situation. It would further reduce the visual connection with the rest of the Town Acre. The open character would be further eroded by the subdivision into parking, garden areas, landscaping and paths. Part of the space is designed to form individual and communal gardens, which is necessary to achieve some degree of privacy for ground floor residents and to create a separation between public and private spaces. The consequence however is to significantly change the character from an open linear space to nominally private space, which does not respect its historic significance.
- 8.67 The applicants consider that replacement of the existing car park and improved landscaping in the immediate vicinity of the Almshouses would contribute positively to the setting of the URC and this edge of the conservation area in general. It is also suggested that the creation of a garden area would help to link to the green part of the Town Acre to the east. It is not clear how this would be achieved however, as there would be a section of car park between the two and the eastern part of the building would interrupt the line of the Town Acre.

8. 68 It is considered that the scale, bulk, layout and design of the building would significantly alter the character of this part of the conservation area. The historic Town Acre would be further eroded and the relationship of the almshouses with the modest buildings and historic spaces to the south of the application site would be substantially changed. Those features contribute positively to the significance of the conservation area, and the proposal would adversely affect them.
- 8.69 The applicants consider that the historical value of the site as a charitable institution would not be impacted by the redevelopment of the site. Replacement of the existing building with more almshouses would maintain the site's historic function and as such part of the significance of the conservation area would be retained, however this would not offset the harm resulting from the proposed building and site layout.
- 8.70 The applicants did not submit any assessment of the impact of the proposed building and site layout on the significance of the conservation area with the original application. As this assessment was absent from the applicants' submission, the Council's Design and Conservation Officer was asked to undertake it and the result is at the end of paragraph 5.1.
- 8.71 In response, the applicants set out that the existing building is unremarkable and its run-down surroundings are detrimental to the local character of the conservation area. They set out that the proposal would be a dynamic new building which may serve as a gateway to the town and a conservation area, and that alongside the communal and charitable benefits of the scheme would include significant improvements to the public realm. The applicants' heritage consultant did not provide any counter argument to the specific points raised by the Council's Design and Conservation Officer and did not set out a case that the proposed building (as opposed to its use and the surrounding landscaping) would be an enhancement to the conservation area. The applicants have not sought to demonstrate that the design of the proposed building would, in itself, offset the harm resulting from the loss of the existing building.
- 8.72 The existing trees are generally around the northern part of the site and are visible from the roundabout, making a positive contribution to the character of the area and the conservation area. The proposed tree planting would be either side of, or behind, the building. There would be no space in the layout to achieve any planting of significant size at the front of the building to soften its bulk. The retention of the Lime tree at the rear is welcomed but would have to be carefully done to ensure that it was not damaged during demolition and construction. Tree protection measures and method statements would need to be secured by condition.
- 8.73 The landscaping scheme submitted does not include any significant landscaping to the front of the building. It shows areas of grass, some planting and a large area of paving. It is unclear why additional paving is necessary given the presence of the footpath around the edge of the site and this and the grassed areas could be much better utilised to create a more attractive landscape setting.

- 8.74 Landscaping of the area to the south of the building would provide a softer edge for the building and green this space however it has not been demonstrated that significant landscaping, particularly trees, can be achieved. It is recognised that service routes etc. cannot be definitely established until the car park is lifted so the position of tree planting cannot be confirmed at this time. The layout of the site does not however allow for very many opportunities for tree planting, and only limited numbers of small species could be achieved in the spaces available.
- 8.75 It is considered that sufficient landscaping could be achieved to provide a satisfactory landscape setting and offset the impact of the loss of the existing trees on the conservation area, such that the impact on landscape character would be neutral. This would need to be secured by conditions, as the indicative landscaping shown would not be sufficient and has not been demonstrated to be achievable. Subject to such conditions, the proposal would integrate into the landscape character of the area, complying with the requirements of policy E2. It is noted however that the applicants rely on achieving substantial enhancements to the public realm as a benefit of this scheme to outweigh the harm to the conservation area. It has not been demonstrated that a landscape scheme of the quality necessary to deliver such benefits can be achieved with the layout of the site as proposed, due to the position and scale of the building restricting opportunities for landscaping.
- Conclusion on impact on the conservation area and character of the area*
- 8.76 There is a clear emphasis in local and national policy on the importance of conserving heritage assets and on good design. The NPPF emphasises the desirability of new development making a positive contribution to local character and distinctiveness (para 192).
- 8.77 It is common ground between the heritage professionals involved that the loss of the existing building would result in less than substantial harm to the significance of the conservation area. The applicants' heritage consultant considers that this harm would be at the lower end of the scale as the building makes only a minor contribution to the conservation area. It is considered however that the relationship of the existing building to the spaces and buildings around it, historically, architecturally and in terms of their function, means that the existing building makes a greater contribution to the conservation area and therefore that its loss would have a greater impact.
- 8.78 It is therefore necessary to consider whether the proposed replacement building would offset this harm and whether the overall redevelopment scheme would enhance, harm or have a neutral impact on the significance of the conservation area.
- 8.79 It is recognised that the proposed building would maintain the historic function of this building for charitable accommodation. The scale, bulk, siting and form of the building would however overwhelm and dominate the space and erode the relationship with the Town Acre and modest buildings to the south, resulting in harm to the historic environment.

- 8.80 The proposed redevelopment does not have proper regard to the historic context and the design is not of sufficient quality to offset the harm that would result from the loss of the existing building. It would not preserve or enhance the character and appearance of the conservation area. As such it is considered that the proposal would result in less than substantial harm to the significance of the conservation area.
- 8.81 The applicants rely on improvements to the public realm and the provision of additional almshouses to reach a conclusion that the proposal would result in no overall harm to the significance of the conservation area. No case is made as to why the provision of a larger number of almshouses should be considered to contribute to the significance of the conservation area. It is clearly a public benefit of the scheme that more affordable housing would be provided, but that is a matter to be considered in the balancing exercise rather than in the assessment of the impact on the conservation area. The applicants' approach appears to be a misapplication of local and national policy, which clearly requires any harm to heritage assets to be identified first, and then weighed against public benefits having regard to the degree of harm. The applicants' approach appears to conflate these two stages without fully assessing the impact of the proposed building on the conservation area.
- 8.82 The applicants have not provided any evidence to demonstrate how the design of the proposed scheme has been arrived at with due regard to the special interest and significance of heritage assets. It is considered that the proposed building would harm the significance of the conservation area and it is therefore necessary to consider this against the public benefits of the scheme. This balancing exercise is set out in paragraphs 8.99 – 8.104.
- 8.83 Having regard to the above assessment, it is considered that the proposal would not integrate, respect and complement the character of the area. It is considered that the design of the proposed scheme fails to have regard to the historic context and is not sympathetic to local character or history. As such the development would fail to improve the character, function and quality of the area as required by policy E1. Furthermore it would not achieve the high quality design and places required by the National Planning Policy Framework.

#### Impact on listed buildings

- 8.84 The proposals would not directly impact any listed buildings but would affect the setting of nearby listed buildings. The applicants conclude that the URC is the only relevant listed building seen in context with the site. There are however other listed buildings in the area, particularly along East Street, which would potentially be affected by the proposed building.
- 8.85 *URC and 54 East Street*  
The United Reform Church is set back from East Street but its principal, formal elevation faces that road. 54 East Street is set further west and closer to the road and is prominent in views along and towards East Street. The proposed scheme would alter the character and form of the space to the north of these buildings.

- 8.86 Historically there were buildings between the URC and the almshouses, and as such the northern side of the church is blank and is not considered important to its significance. The car park and open area to the rear of the church are not considered to contribute to its setting. The dwelling closest to the church would have a quite prominent doorway, designed to reflect the church. This has the potential to detract from the principal façade of the church by creating a formal feature, but with appropriate materials, detailing and landscaping it is considered that this impact could be softened to an acceptable extent.
- 8.87 The setting of 54 East Street is in part created by the forecourt of the church to the immediate north but the open space behind does not have any clear relationship historically or functionally with that property.
- 8.88 The building proposed would be of substantial scale but stepping down to 2 storeys in height next to the church. With this design, combined with the slope of the land to the north and the position of existing buildings, it is considered that the building would not appear dominant in the important views of the URC or no. 54, which are from East Street and the car parks to the west. It is therefore considered that the proposal would not harm the setting, or significance, of these listed buildings.
- 8.89 *St Mary's Church and properties on Newbury Street and Church Close*  
The buildings previously between the almshouses and the URC left a small gap affording glimpsed views through to St Mary's church. There are a number of listed buildings in the vicinity of the church which would also have been visible in views to and from the application site. These glimpsed views and interrelationship between the Almshouses and the sites to the north-west are not considered to make any particular contribution to the significance of the listed buildings. There does not appear to be any historic relationship between the buildings or their functions. The proposed building would close off these views however it is not considered that they form an important part of their setting and as such would not impact on the setting of these buildings.
- 8.90 Archaeology  
The site is known to have been used for almshouses and other buildings for several hundred years. There may also be earlier activity, given that there have been records of Iron Age archaeology nearby.
- 8.91 The applicants' heritage consultant identifies that the site has the potential to contain archaeological remains in relation to the 17<sup>th</sup> century almshouses and potentially earlier use of the site. He identifies that the potential for the discovery of any buried archaeological feature of significance is at least moderate.
- 8.92 The County Archaeologist has raised concerns that the archaeological assessment does not extend to the full area affected by the proposal and may understate the impact and archaeological potential. Furthermore, the suggested mitigation does not offer any comfort that the archaeological issues will be addressed.

8.93 It is recognised that the buried archaeology cannot be revealed until the building and car park are removed. The suggested mitigation is not thorough however it is considered that appropriate investigation and mitigation measures could be secured by condition.

#### Public benefits

8.94 Substantial harm to the non-designated heritage asset of the Almshouses and less than substantial harm to the Andover conservation area have been identified above. In accordance with policy E9 of the RLP and the provisions of the NPPF it is necessary to consider this against the public benefits of the proposal.

8.95 The applicants in their Design and Access Statement set out that the concept is to demolish the existing, below standard dwellings and replace them with 12 new almshouses which they believe will anticipate and assist in providing for the needs of Andover as it experiences the growth of a larger and longer-lived pensioner population.

8.96 There would be a clear and significant social benefit from the provision of almshouses, a type of housing for which there is a need. It has not been demonstrated that the proposal would help to meet the identified need by housing people on the Housing Register but it is evident from the applicants' submission that there has been demand for almshouses when they have been available in the past, and there is no reason to doubt that is not the case now.

8.97 The proposal would also result in economic benefits from the construction of the building and introducing more households into the area. This would be offset by the fact that the residents would be on very low incomes, so the impact on the local economy is unlikely to be as great as for market housing, but it is nevertheless a benefit.

8.98 The proposal would also benefit from the payment of the New Homes Bonus to the Council, which would support the residents of the Borough.

#### Balance: heritage assets

8.99 The proposal demolition of the Acre Almshouses would result in substantial harm to the significance of that non-designated heritage asset and less than substantial harm to the significance of the Andover conservation area. Subject to conditions there would be no harm to archaeological resources or to the setting of nearby listed buildings.

8.100 The 2018 NPPF is clear that great weight should be given to the conservation of heritage assets irrespective of whether harm amounts to substantial harm, total loss or less than substantial harm to their significance (paragraph 193). Considerable weight and importance should be given to conserving heritage assets and there is a legal duty on the local authority to seek to preserve or enhance the character and appearance of the conservation area. As such this harm must carry considerable weight.

- 8.101 The applicants consider that the impact on the conservation area of the loss of the existing 19<sup>th</sup> century building will be outweighed by the benefit of bringing the site back into full use, through the construction of modern facilities, whilst still retaining the site's historical context as the location of charitable housing. While the historic use as charitable housing would be maintained, the proposed replacement building, due to its scale, bulk, layout and design, would result in less than substantial harm to the significance of the conservation area by eroding the historic Town/Common Acre and the relationship of the almshouses with buildings and spaces to the south of the application site, features which make an important contribution to defining the significance of this part of the conservation area.
- 8.102 The proposal would result in public benefits through the provision of 8 additional affordable housing units for which there is a need in the Borough, and would result in social and economic benefits. It is considered that these should be given significant weight in favour of the development. Having regard to planning law and the National Planning Policy Framework, great weight must be given to the conservation of heritage assets which are an irreplaceable resource. In this case the design of the scheme has not been informed by the significance of heritage assets. It would not preserve or enhance the character or appearance of the conservation area and there is no clear and convincing justification for the harm identified to that designated heritage asset.
- 8.103 The complete loss of the non-designated heritage asset is not considered to be justified because the replacement is not of sufficient quality for its merits to outweigh that loss, particularly where it has not been evidenced that the building cannot be retained and reused in some form.
- 8.104 It is considered that in the circumstances of this case the public benefits of the scheme do not outweigh the harm identified to heritage assets. The proposal is therefore contrary to policy E9 of the Test Valley Borough Revised Local Plan 2016 and the provisions of Chapter 16 of the National Planning Policy Framework.

#### **Highway impacts and parking**

- 8.105 The application site currently includes a 29 space public car park, of which 9 are free for one hour between 8am and 6pm Monday to Saturday and the others are long stay spaces. The proposal would provide 14 car parking spaces, of which 2 would be allocated to the almshouses. The remaining 12 would be unallocated.
- 8.106 Mobility scooter and bicycle storage are proposed within the lobby area. These could be secured by condition.
- 8.107 The existing almshouses fall within "Adelaide Road Zone A" of the Council's Andover and Romsey On Street Residents' Permits scheme. Permits are available for dwellings within that Zone with up to two resident and one visitor permit per household available depending on the amount of parking that dwelling has available. It is Council policy that new developments are unlikely to be able to join permit schemes. It is understood from representations that local residents have parking permits to use the car park on the site and that other car parking areas in the vicinity have been made unavailable leading to parking difficulties.

- 8.108 The applicants have applied to stop up the public highway that currently exists across part of the car park. HCC have indicated that they would be willing to agree this subject to planning permission being granted for the redevelopment. If permitted, this would result in the loss of public access to the spaces to be provided, and no public access across the application site from East Street to Adelaide Road. This would be likely to result in increased on-street parking on surrounding roads to the detriment of highway safety. Furthermore, it would prevent people being able to use a more pleasant off-highway route to the shop and across the site, and discourage walking in this area. As such it would be contrary to policy T1. If the area were stopped up as public highway, public access to the parking spaces and across the site could be reinstated by means of planning obligations. The applicants have indicated that they are willing to enter into such an agreement but no draft has been prepared at this time as the applicants wish to wait for the NAPC resolution before incurring the legal costs.
- 8.109 The failure to secure public access to the 12 unallocated car parking spaces would mean that residents who currently have parking permits for Zone A, or who use the car park because they do not have their own parking would be adversely affected. The representations received reflect that parking is already limited in this area and that there are serious concerns about any future loss.
- 8.110 It must be considered whether such an obligation would comply with the legal requirements of s122 and s123 of the Community Infrastructure Levy Regulations 2010 (“the CIL Regulations”. S122 sets out three tests to be met for all planning obligations which are assessed below:
- 8.111 *S122 (a): necessary to make the development acceptable in planning terms*  
Public access cannot legally be secured by condition. Without public access the proposal would have adverse impacts by removing parking available to local residents and removing an off-road walking route. Furthermore the loss of free parking would have an adverse impact on the convenience store. The failure to provide public access would be likely to result in increased parking on surrounding roads and it has not been demonstrated that this would not have an adverse impact on highway safety. As such the obligation is necessary to make the development acceptable in planning terms.
- 8.112 *S122 (b): directly related to the development*  
The obligation would secure public access to car parking on the site to replace the existing public car parking lost as a result of the proposal. It would therefore be directly related to the development.
- 8.113 *S122 (c): fairly and reasonably related in scale and kind to the development.*  
The obligation would reinstate the public access that currently exists, but for a smaller part of the site and only to those spaces necessary to be retained. The remainder of the site would be available for development and landscaping. As such it is considered that the obligation would be fairly and reasonably related in scale and kind to the development.



- 8.114 The provision of parking for public use would be considered infrastructure but the obligation would not conflict with s123 of the CIL Regulations as it would be the first obligation for that infrastructure project.
- 8.115 If permission were to be recommended, a construction management plan could be secured by condition to ensure access to parking spaces. Existing rights of access to garages, car parks etc. would not be a planning matter and it would be a matter for the various landowners and developers to ensure that access would be maintained during construction or appropriate permissions sought to temporarily or permanently stop such access.
- 8.116 The proposal would therefore provide for parking for the almshouses but without a s106 agreement in place would result in the loss of all public car parking. This would impact on the residents who do not have alternative parking. It would result in displacement of cars onto surrounding roads and it has not been demonstrated that this would not result in adverse impacts on highway safety. As such the proposal is contrary to policy T1 of the Test Valley Borough Revised Local Plan 2016 and the provisions of the National Planning Policy Framework.

#### **Economic impacts**

- 8.117 As set out above, no mechanism is in place to secure public access to the 12 unallocated car parking spaces proposed. The proposal would therefore effectively result in the loss of all public car parking on the site. This would have an adverse impact on the adjacent convenience store which currently benefits from free 1 hour parking directly outside. Without any public parking provision, potential customers of the shop are more likely to use facilities within the High Street. It is acknowledged that local residents who would walk to the shop would not be affected however the loss of parking is likely to have a significant impact. The NPPF makes it clear in paragraph 80 that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The proposal would not support economic growth due to the loss of parking.

#### **Ecology**

- 8.118 The applicant has submitted a 2015 bat survey report covering the site, including the building and the trees proposed to be removed. This found some past evidence of bats and emergence surveys were undertaken to establish whether bats were still using the building. None were seen to emerge from or return to the building during the surveys and it was concluded that the building had supported bats but that it no longer functions as an active roost. The County Ecologist provided comments when the application was first received, supporting the findings of the report and concluding that the development was unlikely to result in a breach of the law protecting bats. The survey is now however over 3 years old and are likely to be out of date.
- 8.119 Given that the site has previously been used as a bat roost, there is potential for bats to start using the site again.

The applicant's Ecologist recommends a range of precautionary measures during demolition works to deal with this potential situation. It also proposes replacement bat roosts for the new development. Part of the mitigation proposed involves bat boxes being installed on existing sycamore trees. These trees are to be removed as part of the proposals and as such alternative mitigation would need to be designed. The report also recommends that new lighting be designed to minimise light spillage and pollution so as not to impact on bats. Details of new external lighting could be secured by condition. It is necessary to understand the impact of a proposal on protected species before considering measure by which to avoid, mitigate against or compensate for any adverse effects. At present it has not been demonstrated that the information submitted is up-to-date and reflects the impacts of the proposals. As such it has not been demonstrated that the demolition of the existing building would not result in the loss, deterioration or harm to bats or their roosts, or that appropriate measures can be put in place to address the impacts, and is contrary to policy E5 of the RLP. Updated comments are awaited from the County Ecologist as to whether the information submitted can still be considered up to date and these will be reported via the Update paper.

### **Amenity**

- 8.120 It is necessary to consider the impacts of the proposal on the amenity of occupiers of neighbouring properties and the future residents of the proposed dwellings.

### Neighbouring properties

#### 8.121 *Privacy*

The existing almshouses are approximately 17.5m north of the nearest residential property 8 Rack Close. The bedrooms and living rooms of the existing flats face south towards that property, and nos. 64 and 68 are directly opposite no. 8. No. 8 is separated from the public car park by a small strip of landscaping and is laid out such that its main habitable rooms also face south, away from the Almshouses and only the kitchen window facing the car park. As such there is very little opportunity for mutual overlooking between the properties as existing.

- 8.122 Further east is a convenience store with flat above at 25 Adelaide Road. This has two bedroom windows facing north, with only an oblique view of the existing almshouses at approximately 25m distance. Again there is little opportunity for overlooking between the existing properties. There are no other residential properties in close proximity to the existing building.

- 8.123 The proposal would increase the number of windows facing towards no. 8 and no. 25, with bedroom and living room windows on three levels. The proposed scheme would be approximately 1m closer to 8 Rack Close and 4.5m closer to no. 25. There may be a greater perception of overlooking from the windows but it is not considered that there would be any significant increase in direct overlooking of no. 8 given the arrangement of its windows and internal layout. The curved layout proposed would mean that the windows closest to no. 25 would be angled away from that property. As such it is not considered that the proposal would result in a harmful level of overlooking of the neighbouring dwellings and would provide for their privacy.

8.124 *Light*

The proposed building would be to the north of nos. 8 and 25 and as such would not result in any shading of those properties. The proposal would be closer, and significantly taller and wider than the existing dwellings and as such would have the potential to reduce daylight to the dwellings by blocking part of their view of the sky. It is considered that the siting of the building in relation to the neighbouring dwellings would mean that any impact would be minimal, and would not reduce daylight below acceptable levels.

8.125 *Outlook*

The increased size and mass of the building, combined with its siting, would change the view from both neighbouring properties. A view is not protected through the planning system, and it is considered that there is sufficient separation distance that the new building would not have an overbearing impact on the neighbours.

8.126 *Noise and disturbance*

The changes proposed to the car park would potentially reduce the amount of noise and disturbance experienced by the immediate neighbours which could result in a limited improvement in their living environment.

Future residents

8.127 *Privacy*

The layout of the proposed dwellings would see each flat located around a gentle curve, which would not allow for overlooking between flats. The internal layout does include communal hallways at the front of the building, which would have views into the front windows of flats 4, 5, 8 and 9. In each flat one of these windows would serve a kitchen/dining/living room and one would serve a bathroom. While this is not ideal, these rooms would be less sensitive than bedrooms and access would be limited to other residents. In this regard it is not dissimilar to ground floor windows in any other residential situation where people can walk past the property.

8.128 The ground floor flats would have landscaping to the front which would provide some defensible space from the footpath beyond. There would be opportunities for people using the footpath to look into these flats but again these would be less sensitive rooms and it is not an unusual situation with ground floor properties. The scheme has been amended to remove a path along the rear of the property, which has been replaced by landscaping defining the area behind each flat. While this would remain a communal area, the landscaping would help to define public and private spaces and reduce the likelihood of people looking into the rear windows.

8.129 The scheme has also been amended to subdivide the balconies at first and second floor level and to allocate the two roof gardens to specific flats. This allays concerns raised over the original scheme, where these areas would have been communal, affording views into every window of some flats. There would still be opportunities for overlooking from each balcony into windows of the neighbouring flats because of the way in which they would be subdivided, and as such screens would be required to protect the privacy of occupants.

The second floor balconies are designed such that there would be no overlooking of the neighbours or down towards the roof gardens. The revised scheme would provide for the privacy of future occupants.

8.130 *Daylight and sunlight*

The building would be orientated facing roughly north/south, which would mean that each flat would benefit from a good level of light. As there are no other developments immediately around the site there would be no shading from existing buildings. At ground floor, the existing lime tree to be retained would be sufficiently far from the building that it should not result in any significant shading. Other new tree planting would need to be carefully chosen in terms of species and siting to ensure that it would not result in shading that would lead to future pressures to reduce or remove them. This could be secured by condition.

8.131 *Outlook*

The flats would all have dual outlook to the roads (East Street/Adelaide Road/the roundabout) and into the car park or communal garden to the south. The siting and internal layouts mean that existing buildings would not have an overbearing impact or restrict this outlook.

8.132 *Noise and disturbance*

It is recognised that the existing almshouses are surrounded by car parking and roads, however it is necessary to ensure that poor conditions are not replicated or worsened by exposing more occupiers to them. All of the proposed flats would all be exposed to noise and disturbance from the roads, roundabout and the car park. They would be closer to the road and the ground floor flats in particular would be subject to noise and disturbance on the northern elevation. The southern part of the site would be less noisy than at present with the loss of much of the car park. The internal layouts propose the main living spaces in this southern part of the building, which would reduce the impact on the occupants.

8.133 The ground floor flats are likely to be affected by headlights and noise from vehicles manoeuvring in the remaining car parking spaces. The impact of headlights in particular can be mitigated through use of appropriate planting. The noise associated with vehicle movements would not be likely to be significant given the small number of spaces remaining, and the closest car parking spaces would be reserved for the almshouses.

8.134 It is considered that with appropriate window treatments, such as sufficient thickness of double glazing and controls on opening parts of windows, the proposed flats would not be exposed to levels of noise and disturbance that would be harmful to the amenity of occupiers.

8.135 *Amenity space*

The amended plans show that three of the 6 flats at ground floor level would have a small outside patio with landscaping around it to provide a small amenity area. Flats 1, 2 and 3 would have an area of communal open space outside, which again would have landscaping around it, albeit that there would

also be a footpath into it. These areas would not be private as anyone walking past could look into them, but the landscaping arrangements would create a clear impression of the subdivision of public and private spaces.

- 8.136 The first floor flats would have balconies and roof gardens and the second floor flats would have balconies. The balconies to flats 8, 9, 11 and 12 would be small but provide some outdoor space for residents.
- 8.137 It is considered that in this location, the amenity space proposed would be acceptable for one bedroom flats. This is because there would be small private or semi-private areas for each flat and a larger area of communal space available for sitting out. It is also recognised that the almshouses are unlikely to be occupied by families. There is also public open space nearby which could be used for wider amenity needs. In these circumstances the amount of amenity space proposed for these one bedroom almshouses would be appropriate for the needs of the residents.
- 8.138 Overall it is considered that, subject to conditions, the amended plans are sufficient to demonstrate that the proposal would provide for the privacy and amenity of future occupiers and that of existing neighbours in accordance with policies LHW4 and E8 of the RLP.

#### **Water resources**

- 8.139 Policy E7 of the RLP requires that all new homes achieve a water consumption standard of no more than 110 litres per person per day unless it can be demonstrated that it is not financially viable. The applicants have not sought to provide any viability information and as such this requirement could be secured by condition.

#### **Planning obligations and CIL**

- 8.140 Policy LHW1 of the RLP requires development where there is a net increase in population to provide public open space. This would be necessary where the development would result in or exacerbate a deficit of open space in the local area. Such provision would usually be on-site but with a relatively small development in this location that is not feasible. As such off-site provision would be sought, and this infrastructure would be funded by Community Infrastructure Levy receipts. As such there is no conflict with policy LHW1 of the RLP.
- 8.141 As discussed above, the car parking spaces not allocated to the almshouses need to be made available to the public, and public access across the site is required to make the development acceptable in planning terms. This would be secured through planning obligations in a s106 agreement. At the time of writing no such agreement is in place and as such the proposal would result in a loss of public car parking without adequate replacements to serve the shop and local residents, which would be likely to increase on-street parking in the local area, to the detriment of highway safety. Furthermore, it would prevent people being able to use a more pleasant off-highway route to the shop and across the site, and discourage walking in this area. As such it would be contrary to policy T1.

### **Other matters**

#### 8.142 Public sector equality duty

It is understood from the applicants that the existing building is currently occupied by two people, one of whom is due to move to another almshouse locally. The applicants advise that the other will be rehoused if planning permission is granted.

The Public Sector Equality Duty under s149 of the Equality Act 2010 applies and it is necessary to consider the effect of the proposals of the existing almshouses on residents with protected characteristics, such as the elderly or disabled. The proposed redevelopment of the site would involve the complete demolition of the building and it has not been demonstrated that it could be retained while alternative accommodation was provided. As such existing residents would be displaced or moved as a result of the proposals. This would potentially have an adverse impact on the residents, including concerns about having to leave their existing homes and where they would live afterwards. The proposal would however result in the provision of additional affordable housing, which would be a benefit. It is considered that the loss of the existing dwellings and the consequent impact on the residents would be a short term impact and would be outweighed by the provision of 12 new almshouses to meet the needs of the residents of Andover.

8.143 Several representations have raised land ownership and legal matters in relation to potential common land status of the site. These are matters between the landowners and the applicant and are not planning considerations.

8.144 Concerns have also been raised about the loss of car parking revenue. That is a corporate matter for the Council as landowner and is not a planning consideration for the Local Planning Authority.

### **Planning balance**

8.145 Where a conflict with the development plan is identified, it is necessary to have regard to other material considerations, as set out in s38(6) of the Planning and Compulsory Purchase Act 2004. The material considerations in this case include benefits and adverse impacts. The benefits are the public benefits assessed in paragraphs 8.94 – 8.98. The other impacts are set out below:

8.146 There are three objectives of sustainable development set out in paragraph 8 of the NPPF: social, economic and environmental. The NPPF makes it clear that these are overarching objectives which are independent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.

#### 8.147 *Economic*

There is potential for the loss of parking to adversely impact on local shops. Had a S106 agreement been in place to secure public access to the parking proposed, the scheme would retain enough parking to replace the free spaces currently provided. Without such planning obligations, there would be no mechanism to secure the availability of parking on site for public use. This is likely to have an adverse impact on the shop in particular, and potentially other local businesses. As such the proposals, without a S106 agreement, would result in some economic harm which would offset the economic benefits of providing additional housing.

8.148 *Social*

The provision of additional affordable housing is a benefit discussed earlier in this report. There are no other social impacts identified.

8.149 *Environmental*

Overall it is considered that the landscaping would offset the loss of existing trees but that no more than a neutral impact can be demonstrated. The proposal would result in better quality living conditions than the existing building but it has not been demonstrated that the existing building could not be improved. The proposal would also result in adverse impacts on the historic environment. The loss of public car parking and public access through the site would be likely to discourage walking and also displace cars onto surrounding roads, to the detriment of highway safety.

8.150 Paragraph 11 of the NPPF sets out the circumstances in which there is a presumption in favour of sustainable development. Having regard to paragraph 213 of the NPPF it is considered that the relevant policies in the RLP can be given full weight as they are consistent with the NPPF and are up to date. The proposal does not accord with policies of the RLP and impacts on heritage assets are a clear reason for refusing the development. As such the “tilted balance” of the presumption in favour of sustainable development is not engaged.

8.151 As set out in paragraph 8.104 the public benefits of the scheme are not considered to outweigh the harm to heritage assets. No other material benefits of the scheme are identified. It is considered that the benefits of the scheme would not outweigh the conflict with the development plan and do not justify granting permission in this case.

9.0 **CONCLUSION**

9.1 The proposal would result in public benefits through the provision of affordable housing for people on very low incomes. It would however result in substantial harm to a non-designated heritage asset through the loss of the existing building, for which there is no clear or convincing justification. The loss of the existing building would result in less than substantial harm to the significance of the conservation area. The proposed redevelopment would not be of sufficient quality to offset this harm and would in itself result in harm to the significance of the conservation area. The public benefits of the scheme are not considered to outweigh the harm having regard to the great weight to be given to the conservation of heritage assets. As such the proposal is contrary to policy E9 of the RLP.

9.2 The proposal is not sympathetic to its historic context and local character and fails to improve the function, character and quality of the area contrary to policy E1 of the RLP.

9.3 The applicants have not entered into a s106 agreement to secure public access across the site or public car parking. As such the proposal would result in the loss of that access and parking to the detriment of the shop, local residents and would be likely to result in parking on the local roads to the detriment of highway safety contrary to policy T1 of the RLP.

9.4 Unless otherwise confirmed by the County Ecologist, it has not been demonstrated through up to date ecological information that the loss of the building would not have an adverse impact on bats, contrary to policy E5 of the RLP.

9.5 The proposal would be acceptable in terms of amenity and resources and would comply with all other relevant policies of the RLP.

#### 10.0 **RECOMMENDATION**

##### **REFUSE for the following reasons:**

1. **The proposal demolition of the Acre Almshouses would result in substantial harm to the significance of that non-designated heritage asset and less than substantial harm to the significance of the Andover conservation area. The proposed replacement building, due to its scale, bulk, layout and design, would result in less than substantial harm to the significance of the conservation area by eroding the historic Town/Common Acre and the relationship of the almshouses with buildings and spaces to the south of the application site, features which make an important contribution to defining the significance of this part of the conservation area. As such it fails to improve the character, function and quality of the area. Having regard to planning law and the National Planning Policy Framework, great weight must be given to the conservation of heritage assets which are an irreplaceable resource. The design of the scheme has not been informed by the significance of heritage assets, is not sympathetic to local character or history and there is no clear and convincing justification for the harm identified. The proposal would result in significant public benefits through the provision of 8 additional affordable housing units however the public benefits of the scheme do not outweigh the harm identified to heritage assets in this case. The proposal is contrary to policies E1 and E9 of the Test Valley Borough Revised Local Plan 2016 and the provisions of Chapters 12 and 16 of the National Planning Policy Framework. There are no other material considerations that would justify granting permission contrary to the development plan.**
2. **The proposal would result in the loss of all public car parking with no mechanism to secure any public access to the proposed spaces or across the site. This would discourage people from walking in this area; would have an adverse economic impact on the adjacent convenience store due to the loss of free parking adjacent to it, and impact on the residents who do not have alternative parking. It would result in displacement of cars onto surrounding roads and it has not been demonstrated that this would not result in adverse impacts on highway safety. As such the proposal is contrary to policy T1 of the Test Valley Borough Revised Local Plan 2016 and the provisions of paragraph 80 of the National Planning Policy Framework.**



3. **The application is not accompanied by up to date ecological survey information and fails to demonstrate that the demolition of the existing building would not result in loss, deterioration or harm to bats or their roosts or that measures can be provided that would avoid, mitigate against or compensate for the adverse effects likely to result from the development. As such the proposal is contrary to policy E5 of the Test Valley Borough Revised Local Plan 2016.**

**Note to applicant:**

1. **In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
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