

Report to	Planning Committee
Date	19 January 2017
By	Director of Planning
Local Authority	East Hampshire District Council
Application Number	SDNP/16/04494/FUL & SDNP/16/05687/LIS
Applicant	Mr B Camping
Application	Proposed Conversion of Tithe Barn, Monks Walk and the Garage building to form 5 dwellings (net increase of 4 units)
Address	Tithe Barn, Monks Walk and Garages at Buriton Manor, North Lane, Buriton, Petersfield, Hampshire, GU31 5RT

Recommendation:

- 1. That planning permission be granted subject to**
 - i) The conditions set out in Section 10 of this report and**
 - ii) The completion of a Section 106 Agreement with obligations relating to The relinquishment of rights to use the Tithe Barn as a function room as approved on planning permission reference number F.33208/011/FUL dated 12 August 2002 (use of the Tithe Barn as a function room)**
- 2. That authority be delegated to the Director of Planning to refuse the application, with appropriate reasons if the S106 Agreement is not completed within 2 months of the 19 January Planning Committee meeting.**
- 3. That Listed building consent be granted subject to the conditions set out in Section 10 of this report.**

Executive Summary

Buriton Manor comprises a variety of listed and unlisted buildings, courtyard, walled garden, grounds and swimming pool within the walled garden. Until recently the Manor House, gardens and various outbuildings were in a single ownership, however the house itself and the outbuilding on the western side of the courtyard along with much of the courtyard have been disposed of separately from the buildings the subject of the current applications.

The planning application under consideration relate to the residential conversion of the Grade 2 listed tithe barn, the attached garage block and a building known as 'Monks Walk' to provide five residential dwellings. Also under consideration is an application for listed building consent in respect of the works required to facilitate the conversion of the Grade 2 listed tithe barn and the curtilage listed garage building and Monks Walk.

The applications follow the refusal last year of planning applications for the conversion of the same buildings to provide seven residential units and listed building consent in respect of the Tithe Barn.

I. Site Description

- I.1 The Buriton Manor site comprises a collection of buildings set in grounds on the south-east perimeter of Buriton village. The central part of the site comprises a courtyard. To the north of the courtyard is the Manor House, grade 2* listed. The Manor House was built in two sections: one 16th /17th Century timber framed element and a newer 18th Century brick element. The property is a residential dwelling and in separate ownership to the buildings the subject of the application under consideration. To the south of the manor house is an enclosed courtyard accessed from the public highway in its south west corner, between the Tithe Barn and Manor Lodge. This access is not in the same ownership as the application site.
- I.2 To the west of the courtyard are a group of dwellings referred to as Orangery Cottages. This building was the former coachhouse, dairy and stable block and has been converted into four dwellings being from north to south, Dairy cottage, 2 Old Stable Cottage, 1 Old Stable Cottage and Manor Lodge.. To the east of the courtyard is a single storey building which is grade 2 listed. These buildings, along with most of the courtyard, are in separate ownership from the application site
- I.3 The Tithe Barn which is grade 2 listed is situated on the south side of the courtyard and an area of courtyard in front of the building has been retained in the same ownership. The barn is a brick and stone building with stone flagged floor and exposed timber frame roof. Until the license was revoked by the East Hampshire Council in April 2016 the Tithe Barn was utilised as a function venue, mainly for weddings. The barn did contain kitchens at its eastern end along with a garage/store room.
- I.4 Immediately to the south of the tithe barn is St Mary's church and churchyard, dating from the 12th century. The church is a grade 2* listed building. South-east of the courtyard and south-east of the tithe barn are further buildings which are the subject of the applications under consideration:
- An open fronted Barn and two Stables with a concrete apron. The date of construction of the building is unknown but it appears on the 1870 OS map and Tithe Map. The garage block is largely roofed with suspected asbestos roof tiles whilst the southern section is roofed with slate tiles. The external walls to the west form the boundary with the churchyard and are constructed from masonry/malstone. The southern and northern external walls are also masonry with garage doors on the north elevation. Although unlisted the timber garages are a pleasant presence on the site and make what is considered to be a positive contribution to the setting of the listed buildings and Conservation Area.
 - To the east of the garage block is a single dwelling with garaging known as Monks Walk. Monks Walk was constructed as an agricultural building in 1909. The building was previously used as stables and planning permission was first granted to utilise part of the building as groom's accommodation (1984) and then to convert the building into a dwelling (1995). Monks Walk comprises a large dwelling of at least four bedrooms, over the ground floor and within the roof. At the time of the first site visit the ground floor also provided a double garage at its northern and southern end. There is a lawned area to the east of the dwelling which is located outside of the settlement boundary.
- I.5 Both the garage block and Monks Walk are curtilage listed as they are within the historic curtilage of the Manor House and Tithe Barn.
- I.6 Beyond an area of hard-standing and east of Monks Walk is an area of lawn beyond which to the east is a single storey residential property known as Old Spot Cottage, this is not included in the application site but is in the same ownership and was converted from an agricultural building in the nineties.
- I.7 All the buildings the subject of the applications under consideration lie within the settlement boundary of Buriton, though the southern access lies beyond that boundary. The villages

Conservation Area follows the settlement boundary to the east of application site and extends beyond the settlement boundary to the south of the site. Old Spot Cottage is outside of the Conservation Area.

- 1.8 A public right of way runs through the pond community car park, along the access and then divides to run south climbing Buriton Hanger and east along the southern boundary of the site. Clear views of the site can be obtained.

2. Proposal

- 2.1 The applications under consideration relate to the conversion of existing former agricultural buildings to provide 5 new homes. The buildings concerned are the Grade 2 listed Tithe Barn, an existing residential conversion Monks Walk and an open fronted barn. Previous applications in relation to these buildings were refused in 2016 and 2014 (Appendix 3). The current proposals contain a number of significant changes which seek to address the concerns previously raised in respect of the refused applications.

Tithe Barn

- 2.2 The previous application proposed the conversion of this building into two dwellings which was achieved by the insertion of a first floor, internal party wall through the centre of the structure, insertion of a number of roof lights into the barn, new window opening in external walls and installation of chimneys. The latest proposal is to convert the barn to a single home with a large part of the interior open to the roof timbers, no roof light insertions, no chimneys and new windows introduced into a number of blind window openings.
- 2.3 A previous concern was the lack of any satisfactory external amenity area for the barn, this is now addressed with a garden being provided to the east adjacent to an existing building known as Monks Walk. Parking would be provided to the front of the Tithe Barn at each corner of the building.
- 2.4 The applicant also states that if granted planning permission the current lawful D2 use will cease and they are prepared to relinquish rights to that permission and this can be achieved through an appropriate S106 agreement.

Monks Walk

- 2.5 This former stable building was granted permission for a residential conversion to one dwelling in the nineties and the current application proposes its subdivision to provide 3 dwellings, with gardens provided for each property to the east of the building. The proposed dwellings will front onto the yard and are opposite to the open fronted barn which it is also proposed to convert (see below). As Monks Walk pre-dates 1948 and is within the historic curtilage of listed buildings Listed Building Consent is required for the proposed conversion works.
- 2.6 The conversion is achieved within the existing fabric of the building and no extension is proposed, with the conversion relying on the rearrangement of internal walls at ground level and in the roof to create two floors of residential accommodation. Some works have already taken place. The scheme is substantially the same as was proposed in application SDNP/14/03321/FUL (which was dismissed on appeal) with three sets of double doors retained on the main elevation and two more added in place of two existing windows. Fenestration and door arrangements are also changed in fairly minor ways on other elevations largely within existing openings, which minimises architectural change. A steel chimney is removed and a smaller one added. A balcony rail is also added to an existing door in the central gable at first floor level. The proposal would add several roof lights to both roof slopes. These details of the conversion were considered acceptable by the Planning inspector who considered that appeal (with the scheme being dismissed for issues relating to vehicular activity, landscape impact and noise pollution).

Open fronted barn/garage

- 2.7 This open fronted barn has been used as a car port in recent years and was the subject of a proposal for conversion to two dwellings under the refused application reference number SDNP/14/03321/FUL. The principle of the conversion of this building was considered generally acceptable by the inspector who considered the appeal. The concern in that instance was that the conversion of this building would result in an unsatisfactory relationship with the Tithe Barn which at that time was being retained as a venue with associated noise and disturbance. Under the current proposal the barn is to be converted to a single dwelling and the Tithe Barn would cease to be used as a venue.

Parking and Access

- 2.8 Access to the proposed dwellings in Monks Walk and the open fronted barn is from North Lane via the pond car park and an existing driveway to the south of the churchyard, which is also a public footpath. It is proposed to close off vehicular access through to the courtyard in front of the Manor House. The parking spaces associated with the Tithe Barn would be located in the Manor House courtyard, with access from North Lane. This involves crossing land outside the application site nor in the applicant's ownership.
- 2.9 10 parking spaces together with a single garage are provided in accordance EHDC Parking Standards, which refer to the "Hampshire Parking Strategy and Standards 2002". These parking spaces are located adjacent to each of the proposed dwellings.
- 2.10 The Transport Statement refers to refuse collection for the residential dwellings continuing from the collection point at the northern site access.

3. Relevant Planning History

- 3.1 Given the significant and complex planning history over the last few years, this is set out in **Appendix 3**.

4. Consultations

4.1 Buriton Parish Council - Object

- Cramped over-development, incompatible with the rural nature of the setting, close to the South Downs, Rights of Way, ancient church and other Listed Buildings.
- Some of changes would be outside the Settlement Policy Boundary and harmful to important open space.
- Sensitive landscape at the edge of the settlement where urbanising influences erode the rural landscape character.
- Conversion of the garages would result in almost total reconstruction, representing harmful change to the building, setting of other listed buildings and the Conservation Area.
- Over-looking windows from garage conversion to dwellings in the proposed Monks Walk development.
- Garage dwelling would adjoin the ancient churchyard and would spoil the tranquillity of that consecrated setting as well as potentially affecting ancient yew trees.
- Insufficient car parking spaces being provided for the new dwellings (inevitably resulting in residents/visitors parking in the community car park which is intended for visitors enjoying a visit to the National Park) with all the parked cars due to be out in the open, in full view from Rights of Way alongside and above the site.
- Access proposals are also completely unacceptable, routing traffic for 4 new dwellings through the small community car park and actually running along a popular Right of Way. (already been rejected on Appeal)
- Any extra (daily) traffic would severely disrupt tranquillity including that of the churchyard.

- Adverse effects on the National Park's International Dark Skies Reserve
- At least 1 alternative, viable use for the Tithe Barn not requiring a change of use.
- Unnecessary light pollution which will be visible from the downs above the development.
- Ancient yew trees are at risk from the development.
- Refuse collection vehicles will be required to travel through the car park even though in previous applications the Contracts Monitoring Officer stated this will not be allowed to happen.
- The tranquillity of the churchyard is likely to be disturbed on a daily basis.
- Some important pieces of land appear to be omitted from this 'master plan', most notably the old 'parking area' immediately to the south of the church wall in a very visible location at the settlement edge alongside a right of way.
- The Boundary of the church wall is not separate from the rear of the garages, it touches them.
- The Application form states there is no hazardous waste yet the garages have asbestos that needs to be removed.
- The Application states that there are no trees affected by the proposed changes. There are significant ancient yew trees in the church yard that overhang this development site and must be preserved.
- The site is overlooked by Buriton Footpaths 1 and 2.
- The Bat Survey is out of date.
- There is a concern about 'run off' into the village pond from the 5 new dwellings (and their vehicles) both during and after the development.
- Monks Walk. There is no provision for storage of garden equipment and associated paraphernalia. Sheds and other buildings are unacceptable in this sensitive location. The creation of 1.8 m high beech hedges will make this site urbanised and out of character.
- With regard to the proposed plans: Removal of the existing boiler house is noted and well received.
- Unhappy about the introduction of 4+ new (not re-opened as suggested in the plans) windows that will both spoil the appearance of this historic building as well as contribute to light pollution.
- Would not like to see any barriers, including hedging, marking the ownership boundaries within this historic courtyard and a condition preventing this should be made.
- Would like to see fewer, sympathetically designed houses being proposed. At the very least the garages should be retained for car parking / domestic storage and the barn should be retained (in new ownership) to ensure continuing access to the wonderful building.
- If approval were to be given, would urge that strong conditions are attached to any permission.

4.2 **Archaeologist – No objection**

4.3 **Landscape Officer - No objection subject to conditions**

- An improvement on previous proposals although not without design and landscape issues due to the complicated curtilage arrangements (see below). This is a common issue for multiple conversions around farmsteads.
- Concern that existing yew trees in the adjacent churchyard could be damaged.
- Need for a clear strategy for boundary treatments and the precise extent of domestic curtilage.

- No boundary is currently proposed within the existing courtyard to demarcate the Tithe Barn curtilage and this approach is supported whilst also noting and supporting the concerns of the Conservation Officer in this regard.
- 4.4 **Environmental Health - Contaminated Land – No objection**
- 4.5 **Environmental Health - Pollution – No objection**
- 4.6 **Ecologist – Confirmation of views awaited**
- Applicant was requested to provide additional information following the County ecologists initial observations. This information was provided by the ecologist acting for the applicant and the County Ecologist has confirmed that that this shows that adequate surveys have been carried out. This address concerns raised in some of the representations received.
 - The applicant’s ecologist states (March 2016) that no evidence of bats was recorded during an updated survey and that no works to potential bat roosting habitat will be undertaken.
 - The county ecologist has requested that the applicant’s ecologist confirms that he is fully aware of all proposals and that mitigation is appropriate then we can be confident that all matters are indeed resolved. An update will be provided on this once the requested response has been received and considered.
- 4.7 **Historic England - South East Region - Comments**
- The current scheme subdivides only at the extremities of the plan. This allows six bays to remain open, and there are no longer rooflights towards the churchyard. On the whole the degree of change involved has been significantly reduced. There would still be some harm, however, in that subdivision alters the nature of a building designed to operate as a single space.
 - The balance of harm and benefit of this option is for the LPA to determine. If the present proposal appears to be the only viable option, it could be accepted although there would be some harm still. If there is a better option and it is proved to be a solid one, a further refusal could be justified.
- 4.8 **Drainage – No objection subject to conditions**
- No objections in principle subject to satisfactory drainage systems for both foul and surface water.
- 4.9 **Highways Authority – No objection**
- Unclear as to whether the refuse vehicle will access the site or not. This should be confirmed by the applicant and should accord to Manual for Streets.
 - Subject to the view of Hampshire County Council Countryside Rights of Way Team no objection subject to a condition to secure on-site parking provision
- 4.10 **Access Development Team - Countryside Service – No objection subject to condition and informatives**
- The applicant should therefore satisfy themselves (1) that they have this authority (either by owning the land over which the right of way runs, or alternatively having been granted permission by the landowner) and (2) that this permission extends to any additional development and (3) that provision of such authority would continue if any of the dwellings should subsequently be sold.
 - Should it be shown that such authority does exist and permission is granted, would ask that the applicant be made aware of a number of issues by way of informative
- 4.11 **South Downs Society – Object**
- Significant loss of character of the simple cart shed structure, and would adversely affect the use and enjoyment of the public car park and public footpath. If the Authority is minded to approve this application, request that the permission be subject to conditions relating to

installation and use of blinds, restriction on external lighting, landscaping and restriction on external storage of domestic paraphernalia.

4.12 **Recycling and Refuse Collection – Comments**

- As the community car park by the pond is not adopted highway and it is not appropriate for a 26 tonne refuse vehicle to be driving across this well used car park due to safety issues as well as the fact that it is not part of an adopted highway.
- Suggest a bin collection point at the main Manor Farm Entrance to screen the bins.

4.13 **Historic Buildings Officer - Comments**

- Tithe Barn - It is now proposed to provide a dedicated garden area to the side of the proposed house, accessed through the kitchen. This is likely to prove a workable solution to an earlier problem.
- The current proposal still entails a change, though reduced from the previous scheme, to open-up four ground-floor barn openings, which are strongly suspected to be original loopholes and characteristic of agricultural use. This would cause some harm to the significance of the Listed Building. Previously proposed chimney stacks, alien features on most agricultural buildings, are now deleted.
- An important and indisputable heritage value of the barn is its open, uncluttered and highly characteristic interior. This quality is the main reason that quite radical impacts on historic fabric were recently entertained to improve its acoustic performance, with the aim of sustaining an events use which preserved this internal character. Some of these interventions were quite challenging and would have resulted in permanent alterations to the external appearance of the building.
- Any domestic conversion of the building will involve lesser proposals for thermal insulation and servicing, though these aspects should not require significant external alterations and should be amenable to condition. The current proposal would subdivide the interior with internal walls at each end of the building for obvious purposes of privacy and use, implying some degree of harm to character, though considerably less than the previous proposal for two units.
- On the assumption that the events use can no longer be carried forward, it is necessary to consider the guidance given in Paragraphs 131, 132 and 134 of the NPPF when assessing other potential uses. Compared to the previous residential scheme, the harm implied is considered to be 'less than substantial' but the public benefits to balance the harm are confined to the capacity of the proposed use to sustain the future of the Listed Building. Given the importance and heritage significance ascribed to the open interior, the critical question involves the 'optimum viable use' of the heritage asset. The use of the word 'viable' should not imply that the economic value of the end use is the only, or even the most important consideration in the equation.
- An employment use of some kind might have the advantage of retaining an unimpeded internal volume, but probable and acknowledged issues related to parking may raise fundamental problems.
- The principle of converting the garages was previously accepted. Noting that proposals here have been scaled back somewhat, there seems no reason to revisit this, other than to agree with the submitted comments from archaeology - the frames may be older than has been assumed so some assessment and recording would be desirable prior to and during the repair phase.

5. **Representations**

5.1 **Open Spaces Society- Object**

- Support the objection raised by Buriton Parish Council

5.2 **Buriton Village Association - Object**

- Latest application fails to address reasons why previous plans were refused.
- Over-development
- Poor design in a Conservation Area
- Loss of tranquillity in such an important location
- Unnecessary changes to a wonderful listed building
- Light pollution in a very sensitive location
- Intrusive external parking in visible locations
- The garage building should be retained as garages

5.3 St Mary's Church PCC - Object

- Tithe Barn - A viable offer has been submitted for the Tithe Barn to retain the existing use which we understand would not result in any alterations to the interior or exterior of the grade two listed Tithe barn.
- The boundary of the Tithe Barn is the wall. The two double full height doors on the south side are only for use in emergency. The only access would therefore be from the courtyard or east side which would be severely restrictive for the occupier were it to be a family. The applicant's plans show a kitchen on the south side immediately backing onto the consecrated churchyard. There will be lights, cooking smells from mechanical ventilation and noise which is only 4 metres from the Seward function room.
- The tranquillity of the church and churchyard is likely to be disturbed on a daily basis. Any pipework will be unsightly and possibly require maintenance requiring workman to cross the churchyard.
- There are two boarded up roof lights on the southern roof slope. It is almost certain these will be opened up resulting in light pollution and noise when opened.
- Concern about the addition of new services notably foul drains which could cause problems for the kitchen and toilets in the church Seward room. These are shared with the Manor courtyard drainage system before connecting to the mains drains in North Lane.
- Garage Block – Any construction works to the garage block would seriously impact on the consecrated churchyard. No construction traffic could access the rear of the block.
- Although no fenestration (windows) is shown in the roof there will be increased light and noise from residential use which will directly impact on the tranquillity of the church and churchyard. Several ancient yew trees are likely to be affected by any construction works.
- Monks Walk - over intensification of use resulting in additional traffic, noise and light pollution.
- Sub division of the rear grassed area into 3 gardens will create a suburban appearance which will detract from the rural character of Buriton.
- Community car park and land abutting the churchyard: Additional traffic movements through the community car park adjacent to the pond increasing the risk of accidents in the car park.

5.4 11 letters of objection

- Over development
- Harm both to the interior and exterior of the Tithe Barn.
- Increased traffic through the parking area adjacent to the car park
- Increased traffic movements through the village
- Light pollution
- Loss of the historic nature of the timber structures within the garages

- The NPPF states that if there is less than substantial harm to an heritage asset this can be outweighed by a public benefit, no such benefit exists in this instance.
- Suburban landscaping out of keeping.
- Inadequate Car Parking
- Arrangements for collection of domestic rubbish and recycling collectors is unresolved
- Noise and disturbance from the new homes in the Tithe Barn and garage would disturb the tranquillity of the church yard.
- Understood that offer has been made to continue us as a venue.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan in this area comprises:

East Hampshire District Local Plan Second Review 2006

East Hampshire Local Plan: Joint Core Strategy which was adopted by EHDC on 8th May 2014 and by the SDNPA on 26 June 2014.

The relevant policies to this proposal are set out in section 7 below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

- 6.2 If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

7. Planning Policy

Statutory Requirements:

- 7.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 places the following duties on planning authorities when determining applications for listed building consent and planning permission in Conservation Areas:

In determining a Listed Building application Section 16 requires the local planning authority to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Section 66 (1) states that In considering whether to grant planning permission for development which affects a listed building or its setting the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Section 72 (1) then sets out the general duty on local planning authorities in relation conservation areas and the exercise of planning functions. The section provisions that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

- 7.2 As both Monks Walk and the open fronted barn/garage predate 1948 then they are listed by virtue of being within the historic curtilage of the Tithe Barn and Manor House. As well as requiring listed building consent for the works of conversion the planning application will need to be considered in terms of its impact on the setting of the listed buildings.

Relevant Government Planning Policy and Guidance

- 7.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework

(NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

7.4 The NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

7.5 The following National Planning Policy Framework provisions are relevant to the determination applications which relate to designated heritage assets:

Paragraph 132- Requires greater weight to be given to the asset's conservation and any harm or loss should require clear and convincing justification. This paragraph gives advice on what constitutes 'significant harm' and 'less than significant harm' to an heritage asset.

Paragraph 134 - Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

7.6 East Hampshire District Local Plan: Second Review 2006:

The following policies of the plan are relevant to this proposal:

C6 – Tree Preservation

HE2 - Alterations and Extensions to Buildings

HE4 - New Development in a Conservation Area

HE5 - Alterations to a Building in a Conservation Area

HE6 - Change of use of Buildings in a Conservation Area

HE8 - Development Affecting the Setting of a Conservation Area

HE10 - Extension or Alteration of a Listed Building

HE12 - Development Affecting the Setting of a Listed Building

HE17 - Archaeology and Ancient Monuments

T4 - Pedestrians and Cyclists

T14 - Servicing

7.7 East Hampshire District Local Plan Joint Core Strategy (2014) (JCS)

The following policies of the plan are relevant to this proposal:

CP1 - Presumption in favour of sustainable development

CP2 - Spatial Strategy

CP6 - Rural Economy and Enterprise

CP19 - Development in the Countryside

CP20 - Landscape

CP21 - Biodiversity

CP24 - Sustainable construction

CP25 - Flood Risk

CP27 - Pollution

CP29 - Design

CP30 - Historic Environment

CP31 - Transport General Comments

7.8 Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

Policies and Outcomes 1, 3, 9, 10, 28, 37 & 39 are of particular relevance to this case:

7.9 The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2nd September to 28th October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

7.10 The Buriton Village Design Statement is also considered to be of relevance.

8. **Planning Assessment**

Principle of Development (including consideration of alternative uses)

8.1 Lying within the settlement boundary the general principle of residential development with regard to conversion of a building is acceptable in policy terms. In this particular case regard must be had to the fact one of the buildings is Grade 2 listed and two are curtilage listed. This and other material considerations are considered in more detail below.

Setting of the Listed Buildings and Conservation Area

8.2 Tithe Barn: The main changes involved in the conversion of this barn are:

- the re-opening of 4 of the 'blind' openings on the north elevation at ground floor, 2 first floor 'blind' openings on the west elevation and a single 'blind' first floor opening on the east elevation.
- Insertion of mezzanines at each end of the barn, though the central part of the building between the two large arched openings to the wagon entrances remains open to the roof.
- the removal of plant from the churchyard on the rear of the barn
- A number of changes to the external elevations proposed in the previous refused scheme have been omitted – namely insertion of roof lights on the elevation facing the church, the replacement of ventilation loopholes facing the courtyard with domestic window frames and the introduction of chimney stacks at either ends of the barn. Internally the previously scheme was far less sympathetic to the buildings character and historic function as a first floor had been proposed across the length of the building.

8.3 The Historic Buildings Officer considers the current scheme involving conversion of the Tithe Barn to a single dwelling is less harmful to the fabric and character of the building than the previously refused scheme. The changes to the building will still lead to 'less than substantial harm' harm to this heritage asset under the definitions contained in the NPPF. In such instances the LPA are obliged to weigh this harm against 'the public benefits of the proposal, including securing its optimum viable use.' (NPPF Paragraph 134).

8.4 This therefore leads to the question as whether proposal for residential conversion is the least harmful option in terms of preserving the character and fabric of the building or whether there are other alternative uses for the building which would preserve or enhance the character and be more acceptable.

- 8.5 The applicant has submitted a report which reviews, appraises and evaluates the prospects for the alternative use of the Site for employment uses (Class B Use) in relation to relevant employment land planning policies and revealed commercial market evidence of availability, take-up and vacancy of B Use Class employment floor space in the vicinity of the Site. This report draws on published information from a variety of sources including *East Hampshire's Employment Review Update (2013)* and *South Downs National Park Employment Land Review (2015)* together with commercial market data published by CoStar and the Valuation Office Agency (VOA).
- 8.6 To summarise the key findings of this report are:
- Given the close proximity to existing residential properties within the courtyard, any employment use would conflict with the residential amenity of the neighbouring dwellings.
 - Access to the site is limited and is effectively restricted to an access point located between two Grade II listed buildings which offers no prospects for improvement;
 - The site has no dedicated parking relevant for supporting employment uses and would effectively be reliant on the use of a small car park opposite the church that would impact on the setting of the heritage assets, together with the displacement of parking to elsewhere in the village. This has been deemed as unacceptable in past planning / appeal decisions;
 - The servicing and delivery arrangements which support modern business requirements are wholly inadequate at the application Site;
 - Irrespective of the employment use, some form of internal alteration/adaptation of the Tithe Barn would be required to facilitate B Use Class activities,
 - In transport terms, alternative modes to the private car are restricted to a limited local bus service. In this respect, the site is not in a sustainable location.
 - The barn has the potential to accommodate 31 employees in a B1a office use could generate (based on the Homes and Communities Agency (HCA) Employment Density Guide (November 2015
 - In commercial market terms, local evidence of supply and demand confirm very limited demand coupled alongside the existence of a sufficient supply of suitable existing employment accommodation in more sustainable, prominent and visible locations and other clusters of employment activity;
- 8.7 The report concludes that take together the above factors indicate that the Tithe Barn is not a suitable or realistic employment site.
- 8.8 This report is considered to present a fair assessment of the market for a particular type of use. Given the relationship of the building to the residential properties around the courtyard it is accepted that the introduction of employment uses (other than B1 (a) office) does not represent a realistic option given the potential for disturbance and loss of amenity. In terms of B1(a) the principle concern here is in relation to access and parking which are far from ideal for such a use. On balance it is not considered employment use represents a suitable alternative use.
- 8.9 Whilst the applicant has not undertaken a comprehensive marketing of the Tithe Barn if such an exercise was to have taken place it would either have been on the basis of its current lawful planning use or a speculative option for which planning permission might be forthcoming.
- 8.10 There is an inference in representations to a proposal to acquire the building and continue its use as a function venue under the 2002 planning permission. In planning terms, given previous issues in relation to the operation of the venue for functions it is not considered to be the most appropriate use for a building adjacent to several residential properties fronting the courtyard and could result in issues of noise and disturbance.
- 8.11 Whilst the applicant has not explored other potential uses than employment for the building through either the planning process or marketing which would secure the buildings restoration and ongoing maintenance it is considered the scheme now presented will lead to a secure future

for the building and the public benefit that it creates offsets the 'less than substantial harm' referred to in specialist advice.

Monks Walk

8.12 The proposal is to convert the existing dwelling into 3 units of accommodation with parking being provided in the 'farmyard' area between Monks Walk and the garages/buildings to the west. The northernmost dwelling would have parking to the north of the building, with the central and southern dwellings having parking adjacent to the dwellings at the southwestern corner. The scheme in relation to the conversion of this building remains the same as that considered by the Planning Committee last year.

8.13 The key issue in determining this aspect of the proposal are the impact of the changes on the setting of the nearby listed buildings and wider Conservation Area together with the amenities for future occupants.

8.14 The existing area of Monks Walk is characterised as being an adjoining farmstead to the main Manor House, courtyard and grounds and therefore any development should seek to retain this character. The applicant has endeavoured to do this by limiting the external works to the building primarily to the addition of 16 roof lights. Concern is raised by a number of parties' relation to the extent of roof lights and impact on light pollution, most notably given the designation of the area as an International Dark Skies Reserve and the matter needs to be given sensitive consideration. This aspect was considered in the previous application. It is felt, however, that this matter could be adequately controlled by a condition requiring automatic blinds that would operate during the hours of darkness. This was considered by the inspector in the appeal decision issued in 2015 where it was concluded on this matter that:

"The Authority has raised no objection to the proposed works to the Monks Walk building other than the impact of additional lighting. I am satisfied that the conditions referred to above would overcome this concern and that the alterations to that building, including a minor improvement in terms of the replacement of a large flue, would preserve its architectural and historic interest, the setting of the listed buildings and the character and appearance of the Conservation Area and the wider area".

8.15 However the Planning Committee did not accept that opinion or the advice of officers when it considered the matter at the meeting in August 2016, adding following reason to the recommended refusal grounds:

'The proposal would introduce significant glazing and rooflights into a particularly sensitive area within the National Park which has recently been granted the status as an International Dark Skies Reserve. The proposals would have an adverse impact resulting in light spill and glow and would therefore be contrary to policies CP20, CP27 of the East Hampshire District Local Plan Joint Core Strategy, the purposes of the National Park, the English National Parks and the Broads UK Government Vision and Circular 2010 and the NPPF.'

8.16 Officers remain of the opinion that the use of an appropriate condition would address the potential issue of light pollution.

8.17 The earlier appeal scheme also included a somewhat over fussy attention to landscaping of the area between the garages and the Monks Walk property, including hedged and grassed areas and paths. This drew particular criticism from the inspector who stated:

"The landscaping proposals would introduce significant lengths and areas of tall hedging, tree planting and lawn, creating small spaces and long straight lines... Whilst some screening of parking and turning areas, some privacy between dwellings and private amenity space would be necessary, I am not persuaded that the extent of landscaping proposed is suitable. However it would be possible to achieve a sympathetic scheme which reflects its surroundings more appropriately by means of conditions, excluding these details and requiring submission of further details if permission were granted."

8.18 The proposed scheme for Monks Walk, like that presented last year, addresses concerns raised by the appeal Inspector regarding the landscaping around the building. The authority's landscape

officer is broadly satisfied subject to conditions including surfacing and boundary treatment. Further information and a condition would also be needed to ensure that adjoining trees are safeguarded. Whilst some parking is proposed, this would be partially screened behind proposed bin stores, and other buildings. It is acknowledged that some parking would be visible from the public realm (footpaths to the south) but this would not be so dominant as to detract from the farmstead character.

- 8.19 Another concern on the previous scheme related to the subdivision of the residential curtilage. The western side of the building retains the farmstead, farmyard character and therefore it is important that the treatment of boundaries to the residential curtilages of the three properties is understated and not too domesticated and urban in character. It is considered that conditions could secure this, together with permitted development rights being withheld to ensure control over future outbuildings and domestic paraphernalia. The inspector did not raise an issue in relation to this element of the scheme.
- 8.20 Overall it is considered the details for the conversion and external treatment of the area around Monks Walk will not adversely impact on the character and setting or nearby listed buildings, the Conservation Area or undermine the Authorities Dark Skies Policy.

Open Fronted Barn/Garage

- 8.21 In the previously refused scheme considered last year this barn was to be converted into two residential units, the proposal now under consideration is for one three bedroom dwelling with a garage at the northern end. Additional parking will be available in the former farm yard. The barn retains its character, with glazed panels infilling the bays but the original structure being retained and visible.
- 8.22 The County Archaeologist notes the submitted Heritage Statement does not fully explore the heritage merits of this building. He goes on to comment that the conversion work of the garages will reveal much their original character and will provide illumination on their construction, use and adaptation over time. It may also emerge during work that this is an older building than previously thought. It is therefore advised that a condition requiring the recording of the fabric and form of these buildings as they stand before any change/loss occurs.
- 8.23 Representations refer to the potential impact that the works necessary to convert this building would lead to encroachment into the adjacent churchyard and potentially damage to yew trees. This matter is also commented on by the Landscape Officer, who considers that any works to the roof and western wall of the garage are likely to be damaging to the trees as access to these areas would be likely to require branch removal/thinning. In addition any scaffold required to work on the roof of the garages would be likely to affect these trees. The applicant's agent has advised that there is no requirement to enter the churchyard to carry out the works of conversion and consent for this would, in any event, be required from the PCC. An informative is therefore recommended to be attached to the planning permission to clarify the position that a grant of planning permission does not authorise any work on or access to land not in the applicant's control.

Ecological Considerations

- 8.24 Following receipt of additional information from the applicant's ecological consultant the County Ecologist has confirmed that sufficient information has been provided to show that adequate surveys have been carried out. This addresses concerns raised in some of the representations received.
- 8.25 The County Ecologist has requested that the applicant's ecologist confirms that he is fully aware of all proposals and that mitigation is appropriate then we can be confident that all matters are indeed resolved. An update will be provided on this once the requested response has been received and considered by the County Ecologist.

Access and Parking

- 8.26 Two parking spaces are provided in the courtyard serving the Tithe Barn; these are accessed from North Lane via the existing courtyard access. This access is not included in the application site but the applicant has provided details a land registry extract showing they have full rights of access over the land.
- 8.27 Both the three units in Monks Walk and the new unit in the open fronted barn have car parking spaces proposed in the yard area between the two buildings. These spaces are accessed from North Lane through the public car park adjacent to the pond and then the drive which runs to the south of the churchyard. The latter is also a public footpath. Use of this access was the subject of much discussion and debate in the consideration of previous applications and the inspector confirmed her concerns about an increase in vehicular activity across the car park.
- “...the increased use from the four additional dwellings proposed in these appeals...would increase the danger to car park and footpath users to an unacceptable degree’*
- 8.28 The Highway Authority raise no objection to this route subject to the applicant be advised of certain responsibilities as the access is shared with a PROW, this can be done through an informative attached to the planning permission. The inspector was also particularly concerned about highway safety in relation to collection of refuse which was previously proposed via the southern access. . The Highway Authority also refer to refuse collections in its comment on the current application. EHDC have stated they will not collect via the south access but from an area adjacent to North Lane currently used by residential properties on the Manor complex, this arrangement is confirmed in the applicants Transport Statement.
- 8.29 On the basis of the comments received the access, parking and refuse collection arrangements proposed are considered satisfactory subject to the imposition of appropriate conditions and informative.

Residential Amenity

- 8.30 In considering previous proposals the retention of the events venue use of the Tithe Barn was seen as adversely impacting on the residential amenity of any new residential uses. The current comprehensive scheme together with the relinquishment of rights of the planning permission for the events use address that issue.
- 8.31 The previous proposals for the Tithe Barn did not provide private external private amenity space but the scheme now under consideration does provide the barn conversion with a garden area north of Monks Walk. Another concern raised with the previous proposal and by the Parish Council in relation to the current scheme is for the conversion of the open fronted barn with Monks Walk is the potential for overlooking and lack of privacy between the two sets of properties. This is not considered to be an issue and this relationship between properties is not unusual in courtyard/farmstead conversion schemes.
- 8.32 All the units provide in Monks Walk are provided with adequate private garden areas to the east of the building. The single dwelling created in the open fronted barn conversion has a very modest patio area on its southern side. This however was not seen as an issue by the Inspector when the earlier appeal was determined, commenting:
- ‘Not all occupiers of three bedroom dwellings require a family sized garden and in this case the lack of a larger outdoor space is compensated for by the proximity to open countryside. I therefore disagree with the Authority that the amenity space would be inadequate.’*

Drainage

- 8.33 The submitted Flood Risk Assessment indicates that the development will not increase impermeable area, that the run-off will mimic the existing situation and not increase flood risk elsewhere. A condition requiring details of surface water drainage arrangements is however recommended.

- 8.34 The existing properties are currently drained to a septic tank and it is proposed that the new properties to discharge to the same tank. The EHDC Drainage Engineer considers that the existing tank will not have sufficient capacity to cater for an additional four properties. Conditions requiring the submission of an independent report prior to the commencement of any work are recommended along with a requirement for the foul drainage system to be installed in accordance with details to be submitted and approved prior to any occupation.

Ground Contamination

- 8.35 The East Hampshire Environmental Health Officer draws attention no objections to planning permission being granted. However as a proposed development sensitive to contamination planning conditions dealing with contaminated land are recommended along with an informative attached to the permission.

Existing Lawful Use of the Tithe Barn

- 8.36 The proposed conversion of the Manor Barn to a residential dwelling would, if implemented, remove the potential for noise and disturbance associated with the use of the Tithe Barn for functions. Whilst there is no Premises Licence under the Licensing Act there is still Planning Permission for use as a function venue and the applicant has confirmed they are happy to relinquish rights under this permission through a S106 agreement.

Other Issues raised by interested parties

- 8.37 Overdevelopment - The proposal represents over development: Whilst a number of local residents and the Parish Council raise this it is not considered either in terms of impact on the buildings or in terms residential amenity that the conversion of these buildings to provide 4 additional dwellings represents over development.

Loss of tranquillity and impact on the adjacent churchyard

- 8.38 This the issue of the impact on the churchyard is raised relating to the impact of two dwellings being accommodated in buildings adjacent to the Churchyard. Given the current lawful use of the Tithe Barn it is considered that the proposal will be an improvement on the current position. The proposed removal of heating equipment to the rear of the Tithe Barn and within the churchyard is welcomed by the PCC.

9. Conclusion

- 9.1 The applications under consideration address the grounds for refusal contained in earlier planning decisions in respect of the buildings concerned, these include:
- The current applications present a comprehensive proposal for the site
 - a reduction in the number of additional units from six to four,
 - Provision of private amenity area for use by the occupants of the Tithe Barn,
 - Revisions to the details of the conversion of both the Tithe Barn and open fronted barn resulting in less harm to the character and fabric of the structures,
 - Revising the hard and soft landscaping details to be sympathetic to and enhance both the setting of the listed buildings and conservation area,
 - An offer to relinquish the existing approved use of the Tithe Barn as an events venue,
 - provision of additional evidence in respect of the alternative employment related uses
 - Up to date ecological surveys which subject to the final comments of the County Ecologist address previous objections.
- 9.2 It is considered that the latest proposals has now addressed the various concerns which led to previous applications being refused. On balance the less than substantial harm to the listed tithe Barn is outweighed by the proposal bringing both the Tithe Barn and the buildings which it adjoins into viable use, securing their long term future.

10. Recommendation

10.1 It is recommended that planning permission be granted subject to the conditions set out below and subject to the completion of a Section 106 Agreement with relating to:

The relinquishment of rights to use the Tithe Barn as a function room as approved on planning permission reference F.33208/011/FUL (12 August 2002)

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended). To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Before the development hereby permitted commences details of hard and soft landscape works shall be submitted to and approved by the Local Planning Authority in writing. These details shall include:

- i. written specifications (including cultivation and other operations associated with plant and grass establishment):
- ii. schedules of trees/ shrubs/ plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- iii. retained areas of grassland cover, scrub, hedgerow, and trees;
- iv. full details and sample panels of walls and fencing;
- v. Boundary treatments
- vi. hard surfacing materials to be used in pathways, parking bays and circulation areas;
- vii. a schedule of landscape maintenance including details of the arrangements for its implementation.

The landscaping shall be carried out in accordance with the approved details and maintained for a period of at least 10 years following implementation to the satisfaction of the SDNPA.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings and residential properties and to improve the appearance of the site in the interests of visual amenity and to comply with Policy CP20 of the East Hampshire District Local Plan; Joint Core Strategy (2014) and NPPF.

4. Prior to the commencement of development details of all materials to be used for hard surfaced areas within the site including roads, driveways and car parking area have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details so approved prior to the occupation of the development.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings and residential properties and to improve the appearance of the site in the interests of visual amenity and to comply with Policy CP20 of the East Hampshire District Local Plan; Joint Core Strategy (2014) and NPPF.

5. Prior to development commencing, detailed plans and elevations of the boundary treatment proposed for the five dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be installed in

accordance with the approved details prior to first occupation of the dwellings and shall remain in perpetuity.

Reason: To preserve the rural character of the surrounding area and the setting of the listed buildings.

6. Prior to the commencement of development, details of the bin storage and collection points shall be submitted to and approved in writing by the Local Planning Authority. This provision shall be carried out in accordance with the approved details prior to first occupation of the dwellings being brought into use and thereafter so maintained at all times.

Reason: To ensure adequate and appropriately located bin storage is provided in the interests of highway safety and visual amenity

7. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

8. No part of the development hereby permitted shall not be occupied until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 6 and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework

9. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The approved CEMP shall be adhered to throughout the construction period and suitably address:

- the parking of vehicles of site operatives and visitors, both on-site and off-site
- the routes of operation vehicles through the local highway network
- hours during which materials can be delivered to and removed from the site
- the storage of plant and materials used in constructing the development
- wheel washing facilities
- measures to control the emission of dust, mud from vehicles and dirt during construction
- hours during which site clearance, demolition and building operations (including use of plant and machinery) can be undertaken
- The CEMP approved in writing pursuant to this condition shall be adhered to throughout the construction period.

Reason: To safeguard the amenities of nearby residents in accordance with Policy CP2 of the East Hampshire District Local Plan; Joint Core Strategy (2014) and NPPF.

10. There shall be no burning of demolition or other materials on the site during the period the works of conversion are taking place

Reason: To safeguard the amenities of nearby residents in accordance with Policy CP2 of the East Hampshire District Local Plan; Joint Core Strategy (2014) and NPPF.

11. None of the dwellings hereby approved shall be occupied until works for the disposal of sewerage and surface water run-off have been provided on the site to serve the

development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent possible pollution

12. Prior to the commencement of development an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination;
- ii) an assessment of the potential risks to:
 - human health property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
- iii) an appraisal of remedial options, and proposals of the preferred option(s).

This must be conducted in accordance with DEFRA and Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'

Reason: In the interests of the safety and amenity of the future occupants to comply with Policy CP27 of the East Hampshire District Local Plan Joint Core Strategy (2014)

13. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In the interests of the safety and amenity of the future occupants to comply with Policy CP27 of the East Hampshire District Local Plan Joint Core Strategy (2014)

14. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: In the interests of the safety and amenity of the future occupants to comply with Policy CP27 of the East Hampshire District Local Plan Joint Core Strategy (2014)

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 11, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 12 which is subject to the approval of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 13.

Reason: In the interests of the safety and amenity of the future occupants to comply with Policy CP27 of the East Hampshire District Local Plan Joint Core Strategy (2014)

16. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A B C D E F G and H of Part 1 of Schedule 2 to the order shall be erected constructed or placed within the curtilage(s) of the dwelling(s) hereby permitted so as to enlarge improve or otherwise alter the appearance or setting of the dwelling(s) unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: In the interest of visual amenity and to ensure the development conserves the landscape character of the South Downs National Park in accordance with Policy CP20 of the East Hampshire District Local Plan; Joint Core Strategy (2014) and NPPF.

17. Notwithstanding the provisions of Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no new fences, gates, walls or other means of enclosure shall be erected without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with Policy CP2 of the East Hampshire District Local Plan; Joint Core Strategy (2014) and NPPF.

18. No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to, and approved in writing by, the Local Planning Authority prior to first occupation/use of the site. Any external lighting that is installed shall accord with the details so approved.

Reason: To protect the appearance of the area, the environment and wildlife and local residents in accordance with Policy CP20 of the East Hampshire District Local Plan; Joint Core Strategy (2014) and NPPF.

19. The dwellings hereby permitted shall not be occupied until parking spaces have been provided in accordance with the approved plans and the spaces shall thereafter be retained solely for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

20. The development shall not be occupied until cycle parking has been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.

21. Prior to development commencing, detailed specifications and plans of the roof lights and associated blinds to be installed in the three dwellings hereby permitted, including details of how the blinds would be operated, shall be submitted to and approved in writing by the Local Planning Authority. The roof lights and associated blinds shall be installed and operated in accordance with the approved details prior to first occupation of the dwellings and shall remain in perpetuity.

Reason: To prevent light pollution to the dark skies and to preserve the character of the listed building.

10.2 It is recommended that listed building consent be granted subject to the conditions set out below:

Conditions

1. The works hereby consented shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the provision of Section 18(1) of the Planning (Listed Buildings

2. The works hereby consented shall be carried out in accordance with the approved plans.

Reason: In the interests of clarity and to comply with the provision of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

3. No works shall take place until details of all internal construction works, the methods, materials and components to be used in the works have been submitted to and approved in writing by the Local Planning Authority. Works shall include (but are not limited to) structural strengthening, timber re-jointing, re-plastering, providing service routes and alteration, replacement or maintenance of architectural features. The development shall be completed in accordance with the approved details

Reason: To safeguard the historic fabric and the architectural character and appearance of the buildings in order to comply with the provision of Section 18 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

4. A schedule and samples and finishes, including paint, stains or colours of all facing and roofing materials to be used for the proposed works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved, and adhered to in those works.

Reason: To ensure the use of appropriate materials in order to comply with the provision of Section 18 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

5. No development shall take place until details of the design and materials of all external rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and the materials shall not subsequently be altered without the prior written approval of the Local Planning Authority.

Reason: To ensure the use of appropriate materials in order to comply with the provision of Section 18 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

6. Prior to the commencement of the works hereby approved to facilitate conversion of the garage block (or at such other time as shall first be agreed in writing by the Local Planning Authority), a comprehensive method statement to describe any necessary timber-frame treatment or repair and the provision of insulation shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved, and adhered to in those works.

Reason: To safeguard the historic fabric and the architectural character and appearance of the buildings in order to comply with the provision of Section 18 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

7. Details of glazing screens, drawn to a scale not less than 1:10, external joinery, rooflights and chimney/vents and flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved, and adhered to in those works.

Reason: To safeguard the historic fabric and the architectural character and appearance of the buildings in order to comply with the provision of Section 18 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

8. All rooflights to be inserted shall all be of a 'conservation' style pattern, without an externally visible blind box, to be flush with the roof plane. Details shall be submitted to and approved by the Local Planning Authority prior to the installation of rooflights and only such rooflights as approved shall be inserted and thereafter permanently retained as such.

Reason: To safeguard the historic fabric and the architectural character and appearance of the buildings in order to comply with the provision of Section 18 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

11. Crime and Disorder Implications

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

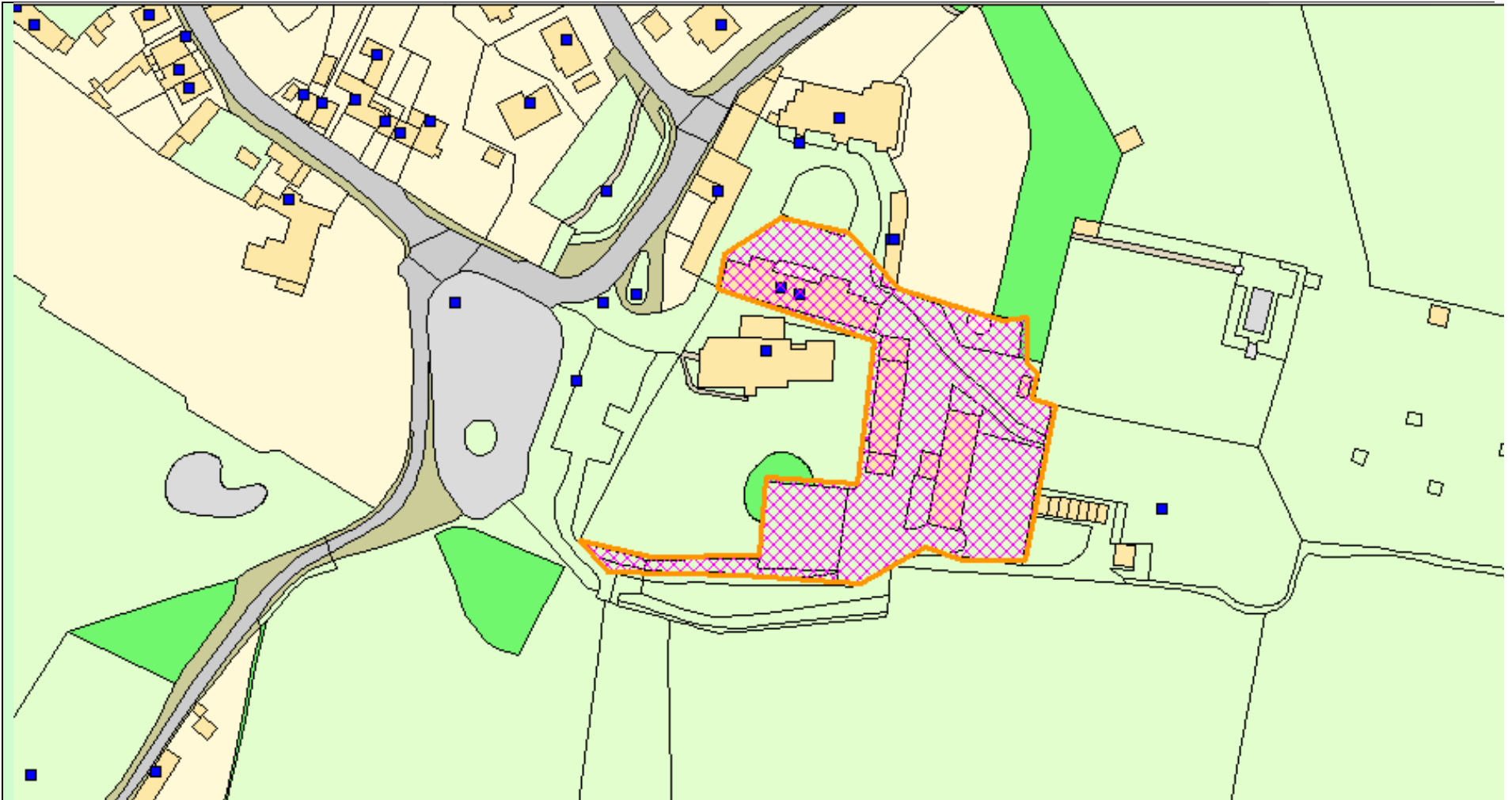
- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant and their agent in a positive and proactive way, in line with the NPPF. This has included the provision of advice following refusal of earlier applications from the SDNPA Development Management Officers and SDNPA Historic Buildings Officer, and the opportunity during the process for the applicant to provide additional information to add additional value as identified by SDNPA Officers and consultees

TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices	<ol style="list-style-type: none">1. Site Location Map2. Plans Referred to in Consideration of this Application3. Planning History
SDNPA Consultees	Legal Services
Background Documents	Planning Application Listed Building Application National Planning Policy Framework National Planning Practise Guidance SDNP Partnership Management Plan East Hampshire District Local Plan Second Review 2006 East Hampshire Local Plan: Joint Core Strategy



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**Agenda Item 7 Report PC01/17 Appendix 2
Plans Referred to in Consideration of this Application**

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans -	1317 (PL)3110 PROPOSED GROUND FLOOR			Approved
Plans -	1317 (PL)3111 PROPOSED FIRST FLOOR			Approved
Plans -	1317 (PL)3112 PROPOSED ROOF PLAN			Approved
Plans -	1317(PL)3131 PROPOSED SECTION A-A			Approved
Plans -	1317 (PL)3140 PROPOSED ELEVATION			Approved
Plans -	1317 (PL)3141PROP POSED ELEVATION			Approved
Plans -	1317(PL)3142 PROPOSED ELEVATION			Approved
Plans -	1317(PL)3143 PROPOSED ELEVATION			Approved
Plans -	1010/020 PROPOSED GROUND FLOOR PLAN			Approved
Plans -	1010/021 PROPOSED FIRST FLOOR PLAN			Approved
Plans -	1010/022 PROPOSED ROOF PLAN			Approved
Plans -	1010/023 PROPOSED ELEVATIONS			Approved
Plans -	1010/024 PROPOSED ELEVATIONS			Approved

Plans -	1010/025 PROPOSED SECTIONS			Approved
Plans -	FIGURE 1 MITIGATION PLAN			Approved
Plans -	FIGURE 2 BAT ROOST PLAN			Approved
Plans -	8777-GA- 07LANDSCAPE MASTERPLAN	c		Approved
Plans -	LOCATION PLAN			Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.

Planning History

SDNP/04494/FUL	Conversion of Tithe Barn, Monks Walk and the Garage building to form 5 dwellings (net increase of 4 units). Current Application.
SDNP/16/05687/LIS	Listed Building Consent for Conversion of Tithe Barn, Monks Walk and the Garage building to form 5 dwellings (net increase of 4 units). Current Listed Building Application
SDNP/16/01381/FUL	Conversion of Monks Walk and the Garage building to form five dwellings Refused 9 September 2016
SDNP/16/01484/LIS	Listed Building Consent for the proposed conversion of Monks Walk and the Garage building to form five dwellings. Delegated to Director of Planning to Approve at Committee in September 2016. Decision not issued yet.
SDNP/16/01636/FUL	Proposed conversion of Tithe Barn to form 2 residential dwellings, each with three bedrooms, parking and amenity space Refused 9 September 2016
SDNP/16/01637/LIS	Listed Building Consent - conversion of Tithe Barn to form 2 residential dwellings, each with three bedrooms, parking and amenity space Refused 9 September 2016
SDNP/16/00665/HOUS	Conversion of garage and loft space (over residential area) into habitable accommodation for use by 1 & 2 Old Stables Cottages Withdrawn 5 May 2016
SDNP/16/00666/LIS	Listed Building Consent – Internal alterations to facilitate conversion of garage and loft space (over residential area) into habitable accommodation for use by 1 & 2 Old Stables Cottages Approved 27 April 2016
SDNP/15/04749	Removal of conditions 2 & 3 of planning permission 33208/11 (12/8/2002) Withdrawn 8 January 2016
SDNP/15/04738/LIS	Listed Building Consent - Works to the fabric of a listed building to accommodate noise attenuation measures, including re-roofing and re-cladding. Proposed inclusion of acoustic envelope surrounding dance floor and performance space with mezzanine above as part of noise attenuation measures. Withdrawn 8 January 2016
SDNP/15/03442/LIS	Listed Building Consent – Alterations to Manor House Master Bathroom Approved 2 September 2015
SDNP/15/01636/FUL	The Conversion of 1 dwelling on the Manor House Estate to form three dwellings together with parking provision within an existing garage building and immediately adjacent to the garage building. Alterations and change of use of existing outbuilding adjacent to Manor House to be utilised as a ceremony room in conjunction with the Tithe Barn.

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	Deferred from Planning Committee in July 2015. Application withdrawn 29 December 2015
SDNP/15/01637/LIS	Listed Building Consent - for the Conversion of 1 dwelling on the Manor House Estate to form three dwellings together with parking provision within an existing garage building and immediately adjacent to the garage building. Alterations and change of use of existing outbuilding adjacent to Manor House to be utilised as a ceremony room in conjunction with the Tithe Barn. Deferred from Planning Committee in July 2015. Application Withdrawn 29 December 2015
SDNP/14/01599/HOUSE	New entrances to the orangery and stables cottages with cast iron stairs, restoration of dovecote, internal alterations to master bathroom. Application Refused 15 January 2015 (inadequate garden and amenity space for Manor Lodge: Harm to setting of heritage assets by way of properties turning their backs on the courtyard)

Appeal Allowed – 15 December 2015 (in relation to majority of proposals, but dismissed in relation to provision of parking via the southern access)

“...two of the new staircases would replace existing timber ones and removal of the garage door and replacement of UPVC windows would be an improvement to both buildings, I agree that those works would not cause harm to heritage assets”.

“The new accesses would provide additional, alternative access to the rear gardens and each dwelling would retain an entrance from the courtyard. The function of the courtyard for pedestrian use by residents would, therefore, be retained”.

“Not all occupiers of three bedroom dwellings require a family sized garden and in this case the lack of a larger outdoor space is compensated for by proximity to open countryside”.

“The car park provides a number of parking spaces and during my visit on a weekday lunchtime I noted that it seems to be well used by local residents visiting the village pond or church and by walkers who use the two nearby public footpaths. Access between parking spaces narrows at its central point, continuing around a sharp bend by the churchyard wall. Given these considerations, and although it appears that access to Monks Walk and Old Spot Cottage already takes place across this land, the increased use from the four existing Orangery and Stables Cottages (and cumulatively with the use of the new access track which I have allowed under appeal APP/Y9507/W/15/3023073) would unacceptable increase the danger to drivers and pedestrians, particularly those with mobility difficulties or young children”.

SDNP/14/01600/LIS	New entrances to the orangery and stables cottages with cast iron stairs, restoration of dovecote, internal alterations to master bathroom (Listed Building Consent Application). Application Refused 15 January (works to the 'west' elevation and addition of external staircases, together with the sealing of doors on the courtyard elevation essentially resulting in the properties turning their back on the courtyard and failing to preserve or enhance the historic setting of the listed buildings).
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Appeal Allowed - 15 December 2015 (For reason set out above)

SDNP/14/03321/FUL	The extension of 1 building and the conversion of 2 other existing buildings on the Manor House Estate to provide a total of 6 dwellings (a net increase of 4 dwellings).
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Refused 15th January (Parking, loading, unloading, additional activity concerns: poor design: poor design of landscaping and subdivision; inappropriate in countryside outside settlement boundary; light pollution; no financial contributions)

Appeal Allowed in relation to extension of Old Spot Cottage and removal of carport but dismissed in relation conversion of Monks Walk to 3 dwellings and the conversion of the garage buildings to 2 dwellings - 15 December 2015

“I conclude that the proposed works to the buildings at the garages, Monks Walk and Old Spot Cottage would accord with the development plan policies and would preserve the special architectural and historic interest of the curtilage listed buildings, the setting of the other listed buildings and the character and appearance of the Conservation Area and the landscape beauty of the National Park”.

“...given the proximity of the proposed dwelling at the northern end of the garages, it seems likely that there would be some noise from the venue. Future occupiers would be aware of the venue prior to occupation but would not necessarily be fully aware of its likely impact. Without further details of whether this can be adequately mitigated through noise attenuation measures, I cannot be certain that it would not cause harm to the living conditions of the future occupiers.”

“The car park provides a number of parking spaces and during my visit on a weekday lunchtime I noted that it seems to be well used by local residents visiting the village pond or church and by walkers who use the two nearby public footpaths. Access between parking spaces narrows at its central point, continuing around a sharp bend by the churchyard wall. Given these considerations, and although it appears that access to Monks Walk and Old Spot Cottage already takes place across this land, the increased use from the four existing Orangery and Stables Cottages (and cumulatively with the use of the new access track which I have allowed under appeal APP/Y9507/W/15/3023073) would unacceptable increase the danger to car park and footpath users”

“The proposal would fail to secure appropriate financial contributions towards the provision of affordable housing and so would be in conflict with JCS policies CP13 and CP32 which seek to ensure such provision.”

“The proposal would have some moderate benefit in providing a viable re-use of the historic buildings that would contribute to the viability of the estate. Also of moderate benefit would be the improvement to the setting of the listed church and the character and appearance of the conservation area and the wider area from the re-covering of the roof of the garages. Minor benefits would arise from the improvements to the Monks Walk building and the removal of the car port at Old Spot Cottage”.

“However I have concluded that the proposed access for the four additional dwellings and for refuse collection would severely harm the safety of users of the car park and the public footpath. Furthermore the proposed conversions would result in significant harm by failing to make adequate provision for affordable housing in the District. The harm that would be caused to living conditions of the future occupiers of the northern dwelling in the garages adds further weight to my concerns. These harms are significant in totality and, in the absence of any financial information to show that the development is necessary for the continued viability of the estate, I am not persuaded that they are sufficiently outweighed by the moderate benefits.”

SDNP/14/03322/LIS The extension of 1 building and the conversion of 2 other existing buildings on the Manor House Estate to provide a total of 6 dwellings (a net increase of 4 dwellings) (Listed Building Consent Application).

Refused 15 January (Poor design within a conservation area; poor design in relation to landscaping, subdivision etc.)

Appeal Dismissed - 15 December 2015 (for reasons set out above on full application)

SDNP/14/04527/FUL Replacement and extension of access track to fields (Retrospective).

Application refused 15 January 2015 (poor design and a fragmentation of the landscape setting presenting landscape harm and harm to the setting of the listed building and Conservation Area)

Appeal Allowed - 15 December 2015

“Although the track would bisect the two grazing paddocks, I saw that part of the track which has been implemented is not clearly apparent within the landscape and can only be clearly seen when standing on it, being largely covered by grass”.

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“The gravelled parking area is adjacent to the rear elevation of the sixteenth century part of the Manor House and was formerly a secluded lawned area. Despite the change in surface, the new gravelled area has not harmed its setting which from here remains secluded and enclosed by the surrounding trees and estate boundary”.

“...I conclude that the proposal would not harm the setting of the listed buildings or the character or appearance of the Conservation Area or the landscape and scenic beauty of the National Park”.

- SDNP/14/02383/FUL Alterations and change of use of existing outbuilding adjacent to manor house to be utilised as a ceremony room in conjunction with the Tithe barn (amended description).
Refused 15 January 2015. (Parking, loading vehicular activity; Amenity of adjacent properties) (NOT APPEALED)
- SDNP/14/02384/LIS Alterations and change of use of existing outbuilding adjacent to manor house to be utilised as a ceremony room in conjunction with the Tithe barn (Listed Building Consent Application);
Listed Building Consent granted 15 January 2015.
- SDNP/14/03328/FUL Extension to previously extended Tithe Barn to provide improved kitchen facilities, office space and storage.
Refused 15 January 2015. (Parking, unloading, activity; poor design; impact of extraction equipment; light pollution) (NOT APPEALED)
- SDNP/14/03329/LIS Extension to previously extended Tithe Barn to provide improved kitchen facilities, office space and storage (Listed Building Consent Application).
Refused 15 January 2015. (Poor Design in relation to Listed Building and Conservation Area) (NOT APPEALED)
- 332088/015 Detached Cart Shed. Approved 26 August 2008.
This is the detached carport adjacent to the Old Spot Cottage which is to be demolished (following the appeal decisions above).
- 33208/012 Conversion of redundant piggery to dwelling. Approved 2 May 2003.
This is the original approval for Old Spot Cottage to be a dwelling.
- 33208/011 Retrospective use of barn as function room. Approved 12 August 2002
This is the original approval for the use of the barn as a function room.
- 21080/02 Conversion of part of stables to grooms accommodation (Monks Walk)
Approved 10 June 1985 (subject to S52 Agreement for occupation to be solely by employee of estate)
- 21080/11 Conversion of stable building to one dwelling (Monks Walk)
Approved 21 November 1995 (**Not** subject to S52 Agreement restricting to employee)