



Buriton Parish Council

Minutes of a meeting of Buriton Parish Council Planning Committee held at 6.00pm on Monday 7 November 2016 in Buriton Village Hall.

Present: Cllr Mrs Johnston (Chair), Cllr O'Donoghue, Cllr Gardner.
Clerk and 1 resident

- 1 Introduction and welcome
- 2 Apologies for absence: Cllr Jones and Cllr White
- 3 Declarations of interest - declaration of interest from Cllr Jones: as a Member of the South Downs National Park Planning Committee I wish to make it clear that any views which I express today are based on the information before me at this meeting, and might change in the light of further information and/or debate at the National Park's Committee meetings. This is to make it clear that I am keeping an open mind on the issues and cannot therefore be found to have predetermined any matter when it comes before the National Park's Planning Committee for decision. Cllr Jones did not contribute to comments for applications at this meeting.
- 4 Minutes of last meeting were agreed and signed by chairman.
- 5 Update on any key current planning matters –
 - **SDNP/16/03784/TCA** – fell one yew tree. Rock Cottage Bones Lane Buriton: Decision Pending
 - **SDNP/16/04719/HOUS** - Two storey side extension plus single storey extensions to front and rear. 15 Sumner Road: Application in Progress
- 6 Planning applications for consideration at this meeting:
 - **SDNP/16/04578/HOUS** 16 High Street Buriton. Reroof of property, rebuild of main chimney and demolition of second chimney. Members were pleased to see the fabric of these character properties maintained and the reuse of bricks and tiles were possible. Members had **NO OBJECTIONS** to the application including the demolition of the second chimney.
 - **SDNP/16/04494/FUL** Monks Walk and Garages at Buriton Manor, North Lane, Buriton. Proposed Conversion of Tithe Barn, Monks Walk and the Garage building to form 5 dwellings (net increase of 4 units). Members **OBJECT** to this application, see full report attached.
- 7 The committee's decisions on the above applications – see above.
- 8 Date of next meeting: 6.00pm 28 November 2016.
Meeting ended at 6.51pm
M Johnston

SDNP/16/04494/FUL

The Conversion of Tithe Barn, Manor House, Buriton to 1 dwelling and the Garages and Monks Walk to 4 dwellings.

Whilst this application represents an improved solution for the remaining part of the Manor Estate in Buriton still owned by the applicant Buriton Parish Council still objects to this application for a number of significant reasons:

Introduction.

Buriton Parish Council is proud of its recent achievements to improve the look and feel of the heart of the village through a series of environmental enhancements at and around the ancient church, the attractive village pond and the historic Manor House.

Working with County and District Councils, a series of investments have been made for the overall public benefit which has also included a programme of de-cluttering and the removal of unnecessary signs.

The parish has also been at the forefront of community planning in East Hampshire with its first Village Design Statement adopted in 2000, an updated VDS published (and adopted as Supplementary Planning Guidance) in 2009, a Parish Plan completed in 2008 (with regular reviews thereafter) and a Local Landscape Character Assessment also completed and adopted as SPG in 2009. All these documents, and the fact that these applications impinge upon the Buriton Conservation Area, should be taken into account when considering these planning applications.

The community works hard to make and keep the parish of Buriton 'a special place'. The Parish Council is not averse to new developments but it considers that these proposals conflict with the National Park's statutory purposes by spoiling the natural beauty of the parish and damaging the local heritage which is currently available to residents and visitors alike.

The Parish Council objects to this application for a number of significant reasons:

- The proposals represent cramped over-development, incompatible with the rural nature of the setting, so close to the scarp slope of the South Downs, Rights of Way, ancient church and other Listed Buildings.
- Some of the changes would be outside the Settlement Policy Boundary and harmful to a Green Finger of important open space identified in the adopted Buriton Village Design Statement and Local Landscape Character Assessment.
- As the SDNPA Landscape Officer has always pointed out, this site is in a sensitive landscape at the edge of the settlement (open to views from the west, south and east) where urbanising influences erode the rural landscape character.
- The proposed conversion of the curtilage-listed 'Garages' into one dwelling would result in their almost total reconstruction, replacing most of the historic timber structures, and would represent harmful change to the building, harm to the setting of other listed buildings and harm to the Conservation Area.

- The proximity of the new dwelling in the Garages would be so close to overlooking windows in the proposed Monks Walk development, allied to the fact that the frontage of the Garages would be predominantly glazed, means that there would be an unacceptable lack of privacy for all the new dwellings.
- The Garages adjoin the ancient churchyard and would spoil the tranquillity of that consecrated setting as well as potentially affecting ancient yew trees.
- The proposed parking arrangements are completely unacceptable with 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.
- The 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. This has already been rejected on Appeal by an independent Government Inspector because of “a severe danger to the safety of car park users and the public footpath” and must be rejected again.
- Any extra (daily) traffic through the community car park would also be alongside the iconic village pond and would severely disrupt the tranquillity and serenity of this special place: exactly the sort of place and qualities that National Parks and Conservation Areas are designed to conserve and enhance.
- With 22 new roof-lights and windows in addition to large glazed components to four of the five proposed buildings, the proposals would have hugely adverse effects on one of the most sensitive parts of the National Park's International Dark Skies Reserve: a very narrow gap of darkness between Petersfield and Clanfield which almost cuts the Reserve in two. This must not be allowed to happen.
- There is a viable alternative use for the Tithe Barn which would not require a change of use.
- There are many errors and inaccuracies in the Planning Application Form and accompanying plans and documents. This, alone, should be a reason for refusal.

There is no accompanying application for Listed building approval for these plans. The Parish Council is concerned that should this application be approved then work might start without the necessary listed building consent.

We would also like to draw attention to our concern that should any aspect of this application be given approval then stringent conditions would need to be applied. However, we would like to state for the record that the Licence for the Barn's events/weddings business was not revoked as a result of complaints by the locals as stated, but due to the licence holder so disregarding the conditions attached to the licence that the Environmental Health Officials at EHDC had no alternative but to call it in for review which resulted in the revocation of the licence. This gives us grave cause for concern that any conditions that might be attached to an approval of this application will also be subject to this blatant disregard.

Errors in the Application

There are errors in this application which make commenting on it very difficult:

There is no clear 'Red line' delineating the property under consideration. It is shown

on a plan but it does not show all the land and is open ended. The paddocks to the east of the buildings must not, inadvertently, become residential rather than agricultural use.

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. This omission must be clarified.

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 over hang this development site and must be preserved.

The site is overlooked by Buriton Footpaths 1 and 2. The application states that no rights of way overlook the site.

The Bat Survey is out of date. Even the applicants own bat surveyor recommends that a new survey should be undertaken if the development is not started after 1 year. It is now 2+ years since a survey has been undertaken.

The Application form states that the works have not started, but the internal work on Monks Walk is all but complete.

There is at least 1 alternative, viable use for the Tithe Barn. This alternative use would not require a change of use. A very material consideration which must be taken into account by the Planning Authority.

The 'Planit Consulting Report" does not seem to be relevant to this application as it refers to previous, subsequently refused, applications and actually appears to represent some sort of threat, which has not been well received.

Both the above named report and the Heritage Report refer to a report by Chilmark which is not available for inspection.

Lighting

Buriton Parish Council is proud to be a part of the National Park's 'International Dark Skies Reserve'. This Reserve is one of only 11 in the World and we would not wish to be the cause of this fabulous achievement being lost. We are working closely with Dan Oakley to create a 'Dark Skies Community' in Buriton. We intend to advertise this involvement on the village website and via the SDNPA website and hope that it will result in an increase in visitors who help sustain the village economically.

We now have low-spill street lights which have been installed throughout the village in support of this initiative and have recently agreed an extra 'dimming' regime with the county council. A number of aspects of these development proposals appear to threaten the Council's aims:

The proposals include a total of 16 new roof lights + 6 new windows in the tithe barn in addition to 9 large glazed doors and a number of glazed walls; 2 huge glazed doors on the Manor Barn; 2 pairs of large glazed doors on either end of Monks Walk; A long glazed wall on the Garages. These features will introduce a lot of unnecessary light pollution which will be visible from the downs above the development.

We also note that it is proposed to add another pair of fully glazed french doors on the southern elevation of the garages which would be another intrusive addition of light pollution in this sensitive location.

It is also unclear whether any external lighting is being proposed - either for the dwellings or the car parking areas. There is a statement in the bat roost information that implies there will be external lighting, this would be detrimental to the International Dark Skies Reserve status of the SDNPA and Buriton.

The new bat roost proposals seem to rely on darkness, but they will be immediately above the glazed wall. Surely this will not work?

When linked to the 8 new roof lights that have been allowed for the Orangery and stable cottages as a part of permitted development, there will be 26 new roof lights in total leaving an illuminating 'Urban glow' over this historic estate in the heart of the village.

Septic Tank or Mains Sewerage?

There is no commitment to the sewerage arrangements required for this development. It is vital that this is resolved and that the sewerage handling for upwards of 15 Lavatories is determined before any work begins.

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.

Water

Buriton has a problem with water pressure such that outlying homes can find themselves with little or no water pressure at times of high consumption. The introduction of multitudinous new bathrooms is of grave concern and we would expect that all efforts to ensure that there is no problem to other users is made. This could require an increase in the size of the water main from Ramsdean!

While we appreciate that this does not form part of the Planning decision, the existing difficulties mean that the issue is sure to come more to the fore if the application is granted. While the responsibility lies with Southern Eastern Water, there are likely to be ramifications elsewhere.

Monks Walk.

There is no provision for storage of garden equipment and associated paraphernalia. The gardens lie outside the settlement boundary and are visible from footpaths 1 and 2 which run very close to this development. Sheds and other buildings are unacceptable in this sensitive location and it is unclear what new owners will be able to do about this.

The creation of 1.8 m high beech hedges will make this site urbanised and out of character with its rural location in a conservation area.

The work on this conversion is all but completed despite the statement that no work has started.

There are an unacceptable number of roof lights (16) associated with this conversion and these coupled with the 4 proposed large glazed doors are a threat to our Dark Skies Reserve status. (At the very least conditions should be applied to this building to limit any light spillage.)

There is no provision to garage cars on this site so there will be, at least, 10 cars out in the open. This area is clearly visible from Buriton footpaths 1 and 2 which pass close to this property. (Despite claims to the contrary, 2 footpaths are visible or affected by this site).

Access and Car Parking.

Usage of the small community car park is increasing along with the popularity of the village with visitors, rambling groups, cyclists, disabled groups and care homes (amongst others) all coming to enjoy the peace and tranquility of the beautiful surroundings. This fits well with the aims and objectives of the SDNPA.

Having extra traffic flowing through this car park on a daily basis will destroy the tranquility threatening the safety of those using it.

When taken together with the other applications that have already been granted these proposals would result in traffic for 6 dwellings going through the car park. It is noticeable that no mention is made of the resulting effects to the tranquility serenity and safety of the small rural community car park nor of the setting of the village pond and ancient church in the heart of the Conservation Area in a National Park. It is as though the effects on the community (and visitors to the National Park) don't matter.

We have grave concerns regarding the safety of visitors and children to the National Park with regular daily traffic passing through this car park. In fact in an appeal against the rejection of an earlier application the Appeal Inspector also felt that the increase in traffic through this car park was unsafe and undesirable. I have copied her comments here:

Appeal Reference APP/Y9507/W/15/3129457 was considering proposals to covert Monks Walk and the Garages (planning application number

SDNP/14/03321/FUL) and concluded, in paragraphs 30, 32 and 37, as follows:

30. *The car park provides a number of parking spaces and during my visit on 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 car parking spaces appears to narrow 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 additional dwellings proposed in these appeals (and cumulatively with the use of the new access track which I have allowed under appeal APP/Y9507/W/15/3023073) would increase the danger to car park and footpath users to an unacceptable degree. This is consistent with my findings regarding the impact of four additional parking spaces for the existing Orangery and Stables cottages in appeal ref APP/Y9507/W/15/3129452 for new entrances, etc.*

32. *I conclude, therefore, that the proposals for access for the four additional dwellings and for refuse collection would present a severe danger to the safety of car park users and the public footpath, contrary to LP policy T4 and the Framework.*

37. *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.*

Appeal Reference APP/Y9507/W/15/3129452 was considering extra traffic through the car park from Orangery & Stables Cottages (planning application number SDNP/14/01599/HOUS) and concluded, in paragraphs 21 and 22, as follows:

21. *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 unacceptably increase the danger to drivers and pedestrians, particularly those with mobility difficulties or young children.*

22. *I conclude that this part of the proposals would, therefore, cause a severe danger to users of the car park and the public footpath, contrary to LP policy T4 and the Framework. This is consistent with my findings in the appeals for the Garages and Monks Walk. I have taken into account all other matters raised but none is sufficient to alter the outcome of my decisions.*

There are serious safety issues in the car park, as evidenced by the Appeals

Inspector, caused by the through put of all this increase in daily traffic and on this basis alone this application should be rejected.

This issue of safety to young children and visitors has also been highlighted by the owners of of part of the pond area, EHDC, and must not be ignored.

The applicants proposals state that the refuse collection vehicles will be required to travel through the car park even though in previous applications EHDC Contracts Monitoring Officer, Jo Edwards, has stated that this has not and will not be allowed to happen. I quote from the comments in an earlier application:

Environmental Services -Contracts Management Team

- Refuse and Recycling East Hampshire District Council provides a Kerbside collection for refuse and recycling and bins are required to be taken to the adopted highway. Each property will need 1x 240 ltr refuse bin, 1x 240 ltr recycle bin, 1 x 38 ltr glass box and also optional 240 ltr garden waste bin. As the proposed development is private bins will need to be taken to the current collection point for Manor Farm by the church. The community car park by the pond is not adopted highway and it is not appropriate for a 26 tonne refuse vehicles to be driving across this well used car park due to safety issues as well as not being adopted. Most collection days would require two separate vehicles as waste is collected separately. The car park is well used by families and dog walkers and due to its nature they are often allowed to run free. There is also a concern over the tight turn at the bottom of the car park right at the edge of the pond and ditch. I would suggest a bin collection point at the main Manor Farm Entrance to screen the bins. Each refuse/recycling vehicle can collect from here avoiding damaging the car park or risking injury to visitors or wildlife. Unless the site is adopted crew will not be entering to collect bins. Jo Edwards Contracts Monitoring Officer'.

The refuse bins for the houses will need to be taken from outside the new dwellings and out through the community car park to the highway for collection.

It should be noted that there is no automatic right of access to these proposed new buildings through the Car Park which is owned by the Parish Council. Historically access has been allowed for 2 dwellings (Monks Walk and Old Spot Cottage). Now this access is used for Old Spot and the Manor House itself by the introduction by the applicant of a new access granted on appeal some time ago. No further access rights have been requested or granted for these proposed new dwellings.

Garages.

Although there is now only one dwelling being proposed here, Buriton Parish Council is strongly opposed to any development of these historic buildings. We trust that the Historic Environment officer's comments are duly noted.

The Boundary of the church wall is not separate from the rear of the garages for the full length of the building, it touches them. The plans do not show this and are

incorrect.

The Application states that there are no trees affected by the proposed changes. There are significant ancient yew trees in the church yard that over hang this development site and must be preserved. These ancient yew trees are behind the garages and are at risk from the development as there is a high probability of the tree roots being damaged. This must not be allowed to happen.

These garages are ideally placed to act as garages for the dwellings proposed for Monks Walk. They would reduce the number of vehicles visible from the footpaths and provide much needed storage for the three dwellings. They have been used for this purpose for years, why not let them continue with this valuable role?

Any development of these buildings will involve access over the consecrated ground that is the churchyard. This is not acceptable.

There should be no possibility to have a wood burning stove in this building as resulting harm to the yew trees is highly likely.

Tithe (Manor) Barn

There is now a slight improvement as this proposal is for only one dwelling. However we still do not accept that the building has no alternative, viable use.

There is much made, in the application, of the fact that no alternative viable use can be found for this building. However we are aware that a sensible offer to purchase this Barn has recently been made. This must be taken into consideration when deciding the fate of this special building so as to retain the possibility of the public being able to visit and marvel at its internal grandeur.

With regard to the proposed plans:

The removal of the existing boiler house is noted and well received.

We are extremely concerned about the proximity of the Grade 2* church to this development. The rear of the Barn is directly on the boundary to the churchyard. There should be no windows on this side of the building at all, including the removal of the large glazed doors that currently exist.

There will be no easy access to the building for work due to the sensitive nature of the churchyard. The proposals say that the Kitchen and bathrooms will be vented low down to the rear of the dwellings which will be directly onto the grave yard and the church. This is totally unacceptable.

There is no mention of sound proofing and yet noise generated by a family on a daily basis will need to be contained by suitable sound proofing.

The tranquillity of the churchyard is likely to be disturbed on a daily basis.

We are 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 that we are so keen to keep to a minimum.

We 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.

Conclusion

Buriton Parish Council would like to see fewer, sympathetically designed houses being proposed that do not result in the gross overdevelopment of this important and historic site. Fewer well thought out dwellings that do not enclose the Church or encroach on the safety and tranquillity of the village car park and the village could be acceptable.

This application results in overdevelopment of the site.

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 for any of these conversions we would urge that strong conditions are attached to any permission and that the conservation officer pays very close attention to the materials being used and to the work that is undertaken as we do not have confidence that every effort will be made to protect the heritage and integrity of this special listed site.

However, we would like to state for the record that the Licence for this buildings events/weddings was not revoked as a result of complaints by locals as stated, but due to the licence holder so disregarding the conditions attached to the licence that the Environmental Health officials at EHDC had no alternative but to call it in for review which resulted in the revocation of the licence. This gives us cause for concern that any conditions that might be attached to an approval of this application will also be subject to this blatant disregard.

Other Buriton Village organisations and neighbours have made very important points in their submissions to this planning process which we fully support and would wish close attention be paid to their valuable contributions.

We would like to stress that we are not averse to residential development, but any such development must demonstrate an understanding of the importance of this historic setting. Regrettably this application will threaten our International Dark Sky Reserve, our peace and tranquillity both in the Church and Churchyard and the small community car park, the very factors that make our village so special and valued by our parishioners and visitors alike.

Buriton Parish Council therefore objects to this application.