



## Buriton Parish Council

Minutes of a meeting of Buriton Parish Council Planning Committee held at 5.30pm on Tuesday 7 March 2017 in Buriton Village Hall.

Present: Cllr Mrs Johnston (Chair), Cllr O'Donoghue, Cllr Gardner and Clerk.  
One member of public

- 1 Introduction and welcome
  - 2 Apologies for absence - Cllr Jones and Cllr White. Declarations of interest – none. Cllr Jones made no contribution to applications considered at this meeting.
  - 3 Minutes of last meeting on 7 February 2017 were approved as an accurate account and signed by chairman.
  - 4 Update on any key current planning matters –
    - **SDNP/16/03784/TCA** – Rock Cottage Bones Lane Buriton. Fell one yew tree. Decision Pending
    - **SDNP/16/05949/LDE** - The Village Inn Of Buriton Petersfield Road Buriton. Lawful Development Certificate. Application determined. Approved.
    - **SDNP/16/06177/TCA** - Lynchets Bones Lane Buriton. Fell one apple tree. Application determined. Raise no objection.
    - **SDNP/16/05920/HOUS** - 2 Sumner Road Buriton. Two storey rear extension and detached annex building. Decision pending.
    - **SDNP/16/06272/CND** New Dwelling North West of 16 Bones Lane Buriton. Application Determined. Approved.
  - 5 Planning applications for consideration at this meeting:
    - **SDNP/17/00554/FUL and SDNP/17/00595/LIS** Manor House North Lane Buriton. Proposed Conversion of Tithe Barn, Monks Walk and the Garage building to form 5 dwellings (net increase of 4 units).
    - **SDNP/17/00757/FUL and SDNP/17/00778/LIS** Monks Walk and Garages at Buriton Manor Manor House North Lane Buriton. Proposed Conversion of Monks Walk and the Garage building to form 4 dwellings. Use of Tithe Barn as ancillary accommodation (linked to garage conversion). Associated parking and private amenity / garden space.
- Members discussed all the applications as one item and decided to send one response. It was unanimously agreed to **OBJECT** to all the applications. Full and comprehensive report detailing reasons for objections is attached. These include concerns regarding effect of this development on the International Dark Skies Reserve, inadequate and inefficient optimum viable use assessment and vehicular access via community car park.
- 6 Public comments on the above application. – Use for tennis club??
  - 7 The committee's decisions on the above applications – see above.

8 **Date of next meeting: 6.00pm 27 March 2017 – if required.**

Meeting ended at 6.29pm

THESE ARE AN ACCURATE ACCOUNT OF THE MINUTES OF THE MEETING

Signed.....M Johnston..... Dated .....5 June 2017.....



# Buriton Parish Council

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Buriton Parish Council has a number of significant **objections** to the latest series of planning applications at Buriton Manor including **SDNP/17/00554/FUL, SDNP/17/00595/LIS, SDNP/17/00757/FUL and SDNP/17/00778/LIS.**

Many of the Council's objections and concerns are similar to those submitted in relation to SDNP/16/04494/FUL (and SDNP/16/05687/LIS) and innumerable previous applications, although we reiterate a number of these points in this letter, we would ask for all our earlier correspondence to be taken into account as well.

In addition to our earlier points of objection we would also stress the following six points in connection with these latest applications:

1. The 'Assessment of Optimum Viable Use' for the Tithe Barn is inadequate for a number of reasons
2. The Marketing Exercise undertaken as part of the 'Assessment of Optimum Viable Use' is deficient in a number of ways
3. The future use of this social asset should be subject to the full rigours of Policy CP16 of the East Hampshire District Local Plan, Joint Core Strategy
4. There is more (new) evidence about the importance of the Dark Night Skies above Buriton which these proposals would damage significantly
5. The SDNPA Planning Committee has previously rejected similar applications on the grounds of vehicular activity (and safety) through the community car park and these reasons for refusal are still valid in relation to these latest applications
6. This is still not a 'masterplan': there are at least two significant pieces of land that appear to be remaining in the ownership of the applicant for which future uses are unclear.
7. Proposed ancillary use gives no information as to what this might mean and what is being proposed

## **1. Inadequacies in the 'Assessment of Optimum Viable Use'**

The assessment which accompanies the application only considers a limited number of alternative uses and is deficient for a number of reasons, including the following:

\* It is suggested in paragraphs 8, 10, 27 and elsewhere that the revocation of the Premises Licence by East Hampshire District Council prevents certain uses by "rendering them no longer achievable". But, as the letter from the Buriton Village Association sent to Mr Slaney, Mr Harrison and Ms Moutrey (dated 23 February 2017) makes clear, East Hampshire District Council only revoked Mr Camping's Licence because he had been "trading irresponsibly" and failing to comply with regulatory regimes. Prior to Mr Camping's purchase of the Manor House and Barn in 2012, the

previous owners (Mr & Mrs Holland Bosworth) had operated a successful business (including weddings and other D2 uses) for over 10 years. As the Buriton Village Association points out, the facts that led to the District Council revoking the Premises License are clear for all to see on the EHDC website: it was only because Mr Camping failed to comply with the regulatory regimes that he lost his licence. The license was not lost because the uses were deemed to be inappropriate or unsuitable to the location. With this background in mind we suspect that you are not able to conclude that these particular uses are unsuitable to the location.

\* The Parish Council is aware of a very serious Business Plan which has been finalised by a community group which intends to offer to purchase the Tithe Barn from Mr Camping. These proposals would keep the barn intact (with no amendments to internal or external appearances) for a range of acceptable uses in line with the existing Planning Permission. The Community Group is intending to brief Mr Slaney in order to provide all the necessary details to the Planning Authority.

\* The Parish Council noted that, in his report on application SDNP/16/0449/FUL, the Conservation Officer identified as the possible optimum viable use of the barn its use as ancillary domestic accommodation for the Manor House. The Parish Council therefore wrote to the current owner and applicant (Mr Camping) on 24<sup>th</sup> February (with copies to Mr Slaney, Mr Ainslie, Mr Scammell and Mr Harrison) posing the following five questions:

1. Has the barn been offered for sale to the owners of the Manor House? If so, when?
2. Have the owners of the Manor House offered to buy the barn? If so, when?
3. If yes to 1 and/or 2, has any such offer been refused or withdrawn or has it lapsed?
4. If yes to 3, please provide particulars as to why the (or each) offer has been refused or withdrawn or has lapsed
5. If there is no outstanding offer either to buy or to sell the barn, will you now invite the owners of the Manor House to make an offer to buy the building?

To date, no answer has been received and so it is not clear to the Parish Council how the applicant can rule out this potential alternative use.

\* On 3<sup>rd</sup> March 2017 the Parish Council received correspondence from a business partnership which appears interested in running a business from the Tithe Barn premises. The business would leave the interior and exterior of the building completely untouched and unaltered – and it would enable many members of the public to visit the building and see its splendour. Details can be forwarded to the Planning Authority if / as required. The business partners are not known to the Parish Council but are based nearby in Petersfield. This enthusiastic inquiry about the availability of the premises seems to confirm that the applicant is not yet able to prove that there are no other potential uses – nor able to prove that converting the building to either a residential dwelling or to ancillary domestic use is the Optimum Viable Use for such a wonderful Grade II Listed Building, set immediately between two Grade II\* Listed Buildings (the Manor House and church)

## **2. Serious deficiencies in the Marketing Exercise undertaken as part of the ‘Assessment of Optimum Viable Use’**

The Parish Council agrees with the objection submitted by Mr Richard Marks MRICS, a chartered surveyor with over 40 years’ experience in commercial agency and investment in London and southern England. He draws attention to:

- \* aspects of a marketing campaign which are recommended in Historic England's Good Practice Advice Note 2 (July 2015)
- \* policies in the East Hampshire District Local Plan Joint Core Strategy which require "rigorous marketing exercises" and which provide details of the records of marketing which should be submitted to the Planning Authority "as a minimum"
- \* the relatively limited attempts at marketing which have been undertaken by the applicant and
- \* a long list of marketing aspects which the applicant has not undertaken.

We note that on the 'Property agency and members of the public email' document that the Applicant has responded to one interested party (Mr Heller) with incorrect information and in a manner that would put any individual off from pursuing their inquiry.

In the absence of a proper marketing exercise the Parish Council does not believe that the Planning Authority can agree to any planning application which seeks to alter the physical fabric of a Grade II Listed Building and / or change the use of the building to either residential or ancillary residential use.

### **3. The relevance of Policy CP16 of the East Hampshire Joint Core Strategy**

The Manor Barn (Tithe Barn) at Buriton is acknowledged to be a popular community venue for a wide range of social activities and events. It has always played a special role in the community from the days when the Bonham Carter family owned the estate and over the last twenty years the building has been used for many community and charity events.

Policy CP16 of the East Hampshire JCS explains that development proposing the change of use of such premises will only be permitted if two strict criteria can be met, one of which is a "rigorous marketing exercise" which is defined in the supporting text as being "for a period of at least 12 months."

The planning applications state clearly that the marketing exercise has not been undertaken for a period of 12 months and so the applications should be refused on these additional grounds.

### **4. New information about the importance of the Dark Night Skies above Buriton.**

The Parish Council would ask for each of these new points to be stressed to Members of the Committee before any decision is taken on these applications:

- \* The critical nature of the 'pinch-point' location of the village of Buriton in the International Dark Skies Reserve has now been recognised in the emerging South Downs Local Plan. The supporting text for Policy SD9 (Dark Night Skies), which has been approved by the SDNPA Planning Committee, describes "areas vulnerable to change" and explicitly cites Buriton as an example of these sort of vulnerable locations [no other examples are provided: only Buriton]. All steps should therefore be taken to prevent any light pollution in this area which, in this case, means that these planning applications should be refused so that less damaging proposals could be brought forward in their place
- \* The Parish Council is making good progress towards IDA community status (one of a handful in the country) as your Dark skies officer states. These proposals would

threaten that status and thereafter the whole South Downs Dark Skies Reserve.

\* Of all the places in the Core Dark Sky Area of the International Reserve, Buriton was selected by the SDNPA's Dark Skies Officer and the makers of BBC Countryfile (broadcast on 5<sup>th</sup> March 2017) as having some of the darkest skies, whilst being vulnerable to changes from development proposals

\* At its meeting in August 2016, when considering an almost identical planning application (SDNP/16/01381/FUL) the SDNPA Planning Committee included as one of the Reasons for Refusal: "Harm to the International Dark Night Skies Reserve status"

\* This International Status was a new designation which had been achieved by SDNPA in the period of time since Planning Inspectors considered appeals made by Mr Camping on earlier committee refusals: new material considerations which were felt by Members of the Committee to be worth upholding

\* SDNPA Planning Officers have subsequently suggested that all the extra light pollution (from huge glazed doorways in each of the three buildings, a completely glazed wall in the Cartshed Garages building and many new rooflights) can be controlled by conditions

\* Paragraph 206 of the NPPF provides six tests which must all be satisfied each time a decision to grant planning permission subject to conditions is made and this includes the "enforceability" of planning conditions. The Government's Planning Practice Guidance stipulates that unenforceable conditions include those for which it would be impossible to detect a contravention or remedy any breach of the condition, or those concerned with matters over which the applicant has no control.

\* The Parish Council believes that these planning applications fail this test – not least because the applicant would have no control over whether all blinds and / or curtains are always drawn during all the hours of darkness on every day of the year. He will have sold all the dwellings and moved away

\* It would not, therefore, be possible to control this critical aspect of an enormous increase in light pollution through planning conditions and the applications should be refused on these grounds again.

\* Your own Dark Skies Officer clearly has strong concerns about these projects and their threat to the entire Dark Skies Reserve. He should not be ignored.

## **5. Vehicular activity (and safety) through the community car park**

At the SDNPA Planning Committee Meeting in August 2016, in relation to application SDNP/16/01381/FUL, the Committee resolved to amend Reason for Refusal 1 "to confirm that the vehicular activity was unacceptable and also exacerbated by the use of the Tithe Barn for events." This is recorded in the official Minutes of that meeting.

Prior to the Committee amending Reason for Refusal 1, it had said (in the Committee Report): "The proposal, in combination with the use of the Tithe Barn would result in an unacceptable degree of vehicular activity through the existing Community Car Park which would result in a danger to users ..."

But the Committee deliberately decided to amend those words as they were clearly concerned that the traffic from converting the buildings into dwellings alone was felt to be unacceptable – and that the events uses would merely exacerbate this...

However, the decision letter on the SDNPA website says simply: "The proposal would result in an unacceptable degree of vehicular activity through the existing Community Car Park (exacerbated by the existing planning use of the Tithe Barn for events) which would result in a danger to users ...".

That appears to result in a slightly different meaning (by excluding the words “and also”) and is, therefore, potentially not consistent with the Decision taken at the August 2016 Committee Meeting, the Minutes of which were confirmed in September 2016.

The wording of the decision letter was recently quoted back to the Committee during your January 2017 Committee Meeting when Members were trying to explore the issue of the safety of traffic through the community car park again. Mr Harrison and others were advised that they should not be looking to change the decision that they had taken in August 2016 on this aspect of the proposals.

Mr Harrison quoted extracts from an Inspector’s Report which clearly supported his case but was again advised by officers not to pursue this matter because of the wording of the Committee’s earlier decision.

The legal advice that we have received suggests that this steer from officers at your January 2017 meeting may have been unsound as it was contrary to the very clear decision taken by SDNPA Members in August 2016 and not in line with the decision that they had taken.

In addition to the above points, it is very clear that the District Council and County Council’s highways and safety experts have always raised serious concerns about these proposals.

The Highway Authority’s letter of 15 November 2016 stresses that “The Highway Authority has consistently raised concerns regarding any increase in traffic using the access south of the church onto North Lane through the community car park. The car park appears to be regularly used by the public and an increase in vehicle movements could present a safety risk. The Planning Inspector echoed these concerns ...”

The letter continues to explain that “although the Highway Authority could not formally object to SDNP/16/01381/FUL due to the area of concern not being within the highway, the Local Planning Authority were advised to take the concerns outlined above into full consideration when determining the application” and concludes “the Highway Authority would again advise the Local Planning Authority to take into account the concerns previously stated.”

This advice must not be ignored. Human lives (particularly those of young children feeding the ducks in the village pond) are at risk.

A National Park Authority should be looking to safeguard tranquility and safety at such a sensitive, attractive and popular location.

## **6. This is still not a ‘masterplan’**

There are at least two significant pieces of land that appear to be remaining in the ownership of the applicant for which future uses are unclear.

At the January meeting of the SDNPA Planning Committee this uncertainty was of great concern to a number of Members and it is disappointing that the applicant has failed to

address the future uses (or appearance) of these pieces of land in these latest applications. Members of the Committee may wish to view these omissions with suspicion and planning permission should not be granted until clarity can be assured.

## 7. Proposed Ancillary Use

There is no information as to what the proposed Ancillary Domestic use might mean. There are no plans supplied. Use of the Tithe Barn as an ancillary to the Garage make no sense at all and is entirely inappropriate for this magnificent grade 2 building.

The Parish Council also has the following significant objections to these latest applications:

- 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 over-looking 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.

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.

## 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.

**We note that Roger Burton Drainage Consultant EHDC has objected subject to**

**detailed Septic Tank and Drainage details and we urge that this aspect is recognised.**

## **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 part of the pond area, EHDC, and must not be ignored.

The applicant's 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 tranquility 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 tranquility 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 tranquility 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 these applications.**