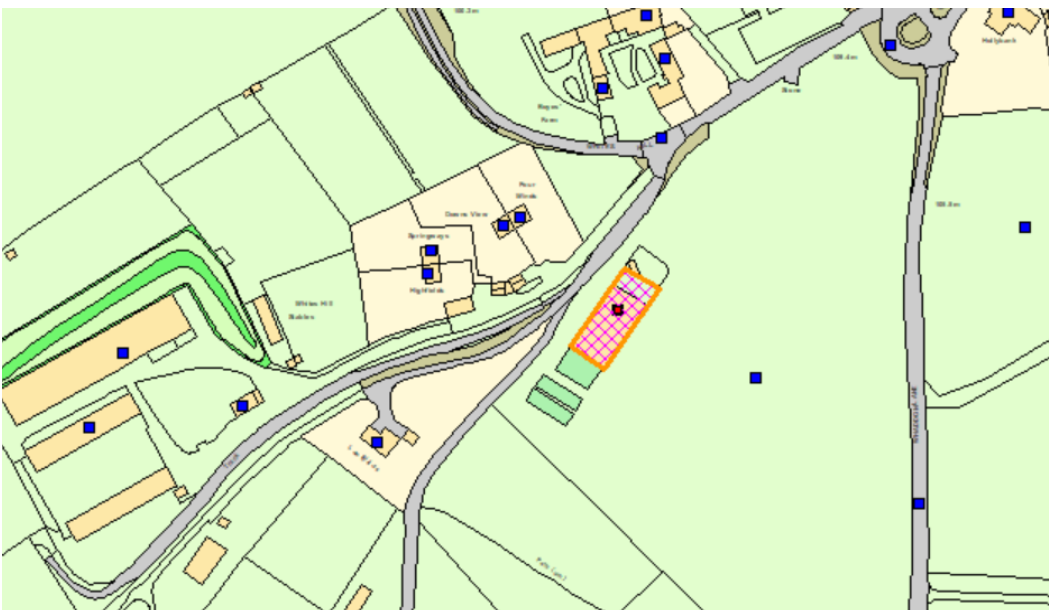


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Case No: SDNP/23/04050/FUL
Proposal Description: (AMENDED DESCRIPTION) Associated operational development pursuant to application reference SDNP/22/05927/PA3R, together with the insertion of mezzanine floors to apart-hotel units and the re-cladding of the remaining part of the existing barn to create enclosed storage for the holding.
Address: Old Green Farm, Whites Hill, Owslebury, Hampshire SO21 1LT
Parish: Owslebury and Morestead Parish
Applicants Name: Mr N Austin
Case Officer: Tania Novachic
Date Valid: 27.09.2023
Recommendation: Application Approved
Pre Application Advice: No

Link to Planning Documents

[SDNP/23/04050/FUL | \(Amended\) Associated operational development pursuant to application reference SDNP/22/05927/PA3R, together with the insertion of mezzanine floors to apart-hotel units and the re-cladding of the remaining part of the existing barn to create enclosed storage for the holding. | Old Green Farm Whites Hill Owslebury Hampshire SO21 1LT \(southdowns.gov.uk\)](#)



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Reasons for Recommendation

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The development is recommended for permission as it is not considered to be significantly harmful to the character and appearance of the South Downs National Park. The proposal is also considered to have an acceptable impact on neighbouring amenity and therefore complies with the policy requirements of SD4, SD5 & SD8 of the SDNP Local Plan.

General Comments

The application is reported to Committee because of the number of Objections received contrary to the Officer's recommendation.

Amendments to Plans Negotiated

The number of roof lights was amended following the number of comments received with regards to impact on the dark night sky and to reduce the urbanising impact of the windows facing towards the North West.

Site Description

The village of Owslebury is a small settlement of properties of varying styles and proportions with a number of farmsteads in close proximity. Old Green Farm is positioned to the west of the village within the South Downs National Park (SDNP) and is bounded by Whites Hill to the north and Whaddon Lane to the southeast. There are two existing accesses to the overall site, firstly an access off Whites Hill which is a rural metalled adopted highway covered by a 30 mph speed restriction on the approach to the site from the village, and a further access to the Bus Terminus to the north of the site however the site is currently accessed from Whites Hill.

The barn within the site is positioned along the southwest boundary. The site is not openly visible as the boundaries lining the access lanes (Whites Hill to the north and Whaddon Lane to the southeast) are screened by the existing closed boarded fences and established vegetation and trees. The site is raised along the boundary to the west providing further screening from the neighbouring properties Four Winds, Downs View, Spring Way and Highfields positioned to the North West at a distance of approximately 20m and to the South West Longfields at a distance of approximately 65m. The site provides large areas of off street parking however little of the site shows signs of domestic use and it retains the existing agricultural outlook.

The character of the properties close to the application site comprise of detached and semidetached brick and render residential dwellings. Public Rights of Way Owslebury 9 & 28 provide access to the neighbouring dwellings to the South West. The Old Green Farm site is well screened and is not openly visible.

The site is not Listed or within a conservation area.

Proposal

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The proposal is for associated operational development pursuant to application reference SDNP/22/05927/PA3R.

This consists of the insertion of mezzanine floors to the Aparthotel units, the re-cladding of part of the barn and the addition of new windows.

Relevant Planning History

SDNP/22/04764/PNCOUF - Change of use of an existing agricultural building on their holding to a E(g)(i) use (office) under Class R – NOOBJ no objection 17.10.2022

SDNP/22/05927/PA3R - Change of use to C1 Aparthotel. – NOOBJ no objection 10.03.2023

SDNP/22/04764/PNCOUF - Change of use of an existing agricultural building on their holding to a E(g)(i) use (office) under Class R - NOOBJ 17.10.2022

Pending Planning Applications –

SDNP/24/02334/FUL - Erection of a polytunnel (retrospective) – Valid 07.06.2024

Consultations

No consultations have been requested however pursuant to the application SDNP/22/05927/PA3R (the original prior approval planning application) the following comments were received and have been included for clarity.

Service Lead – Public Protection (Environmental Health)

No objections – the updated Geo-Environmental Desk Study Report for the Land at Old Green Farm re GE21278/DSRv1.2/JAN23 has addressed initial concerns.

Hampshire County Council (Highway Authority)

No objections - There are two existing accesses to the overall site, firstly taken from Whites Hill which is a rural metalled adopted highway covered by a 30 mph speed restriction on the approach to the site from the village, and a further access to the Bus Terminus to the north of the site. The submitted Transport Note refers to the use of the access to Whites Hill. The lane adjacent to the access to/from Whites Hill is a bridleway and therefore the HCC Countryside Team PROW Development Team should be consulted directly.

It is noted that 150 sqm of offices were permitted previously for part of the barn. The remainder of the barn, 350 sqm could have retained some agricultural use. The current proposal seeks a change of use from agriculture for the whole building, to provide 5 units of tourist accommodation. This proposed change of use would be likely to reduce the traffic impact during the network peak hours which are accepted as the busiest periods related to an office use. The movements related with tourist vehicles, pedestrians and cyclists would be likely to result in a spread of movements generally

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outside of network peak hours.

The Highway Authority are of the view that the proposed change of use, which includes the floorspace for the previously permitted office use on part of the building, would be unlikely to result in a significant impact on the local highway network, particularly during network peak hours, over and above the associated impacts from the previously approved office use and continued use of the remainder of the barn for agricultural uses.

If the Planning Authority are minded to grant approval to the current change of use application the Highway Authority would expect further information to be provided with any subsequent full planning application for tourism use, confirming the numbers of bed spaces, the arrangements for staffing, full details of the access arrangements, provisions for refuse and recycling collections, vehicle tracking for the types of vehicles required to access and include turning of those vehicles on site together with proposed car and cycle parking provisions including Electric Vehicle charging facilities. Also identify measures to ensure no additional run-off of surface water to the highway which could result in a detrimental impact on highway safety.

As the current application relates to a PR3R Change of Use from 500 sqm of the agricultural building, to create 5 number units of tourist accommodation the Highway Authority would consider that the proposed COU, would not result in a significant increase in vehicle movements from those likely to be generated by the previously permitted change of use to offices. It is considered therefore that there would be no significant detrimental impact on the operation and safety of the local highway network. Having regards to the above and any comments of the Countryside Services PROW Team the Highway Authority would recommend - No objection (no conditions)

Informal comments requested in response to the comments received.

Service Lead – Historic Environment

No objection raised due to the existing separation distance and boundary treatment and no changes with regards to the existing barn in terms of scale.

Hampshire Countryside Services

Context: Owslebury Bridleway 9 (BW9) runs southwest from Whites Hill adjacent to the site's northwest boundary & Owslebury Footpath 28 (FP28) spurs off BW9 in a southwest direction.

Following our call and my brief assessment of overhead mapping and the application plans, I raise no concern over the proposals, in regard to the adjacent Public Right of Way (PROW). I understand that site vehicle access does not utilise the bridleway, nor is intending to do so, and there appears to be well-established vegetation screening between the PROW and site. Bridleway users, therefore, are unlikely to be significantly impacted by the proposed works.

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The surrounding landscape – access, dark skies, vehicle movements than the proposal which from desk top survey appears fairly well screened.

Representations:**Owslebury and Morestead Parish Council**

Owslebury and Morestead Parish Council objects to the Planning Application on the grounds listed;

SD2 – Ecosystems Services

Item 2: Development proposals must be supported by a statement that sets out how the development proposal impacts, both positively and negatively, on ecosystem services. The related TAN indicates that the submitted Ecosystem Services Statement should contain “the appropriate Ecosystem Services based solutions” and the methodology by which these conclusions were reached. Instead, the Statement repeatedly fails to specify how positive impacts will be achieved and largely lists options that could be applied or suggests further study as being required. The exact intentions should be stated and this report is therefore deficient in the specifics demanded by SD2. In the absence of the required information within the application, we request that SDNPA sets its requirements over every related aspect in the form of conditions on the development, including any eventualities of further studies that become necessary.

SD7 – Tranquillity

1. Development proposals will only be permitted where they conserve and enhance relative tranquillity and should consider the following impacts: a) Direct impacts that the proposals are likely to cause by changes in the visual and aural environment in the immediate vicinity of the proposals; b) Indirect impacts that may be caused within the National Park that are remote from the location of the proposals themselves such as vehicular movements; ...

2. Development proposals in highly tranquil and intermediate tranquillity areas should conserve and enhance, and not cause harm to, relative tranquillity.

The applicant claims, without evidence, that the development will result in no more noise and disturbance than the prior existing agricultural use. The site was not a farm in the conventional sense and since the prior agricultural use was low level, and limited to the working day, the substitution of 5 independent accommodation units will also generate noise within and outside working hours, which is the time of maximum tranquillity in the village environs. It is evident that the operation of the development will not enhance the relative tranquillity of the location, but indeed will degrade the aural environment and the relative tranquillity of this intermediate tranquillity environment.

The application chooses not to recognise the conflict with SD7 goals and therefore offers no detail of operational limitations and technical mitigations that will be necessary just to achieve parity with the prior use. The site is also situated amongst village houses. We request that SDNPA sets appropriately strict noise and disturbance limits (sound systems,

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parties, entertainments, vehicular, etc.) on the development, both to adhere to the requirements of SD7 and to protect the tranquillity enjoyed at the surrounding dwellings.

SD8 – Dark Night Skies

2. Development proposals must demonstrate that all opportunities to reduce light pollution have been taken, and must ensure that the measured and observed sky quality in the surrounding area is not negatively affected, having due regard to the following hierarchy:

a) The installation of lighting is avoided; and b) If lighting cannot be avoided, it is demonstrated to be necessary and appropriate, for its intended purpose or use: i. Any adverse impacts are avoided; or ii. If that is not achievable, then adverse impacts are mitigated to the greatest reasonable extent.'

The site nocturnal lighting intensity will be different to the agricultural use which minimised all lighting and the nocturnal use of lighting. The Ecosystems Services Statement mentions only external lighting in regard to DNS preservation and enhancement but the submitted plans relate only to the building envelope. This development, including its unspecified external operational elements, will have a significant impact on light pollution on this previously low/ no light status. The application does not mention the impact of light spill which will increase due to light levels and pattern of use. The DNS TAN May 21 mentions both vertical window and skylight light spill. There are seven very large vertical windows, 3.4m H x 2.4m W. Large skylights number twelve 3m x 1m and eighteen 1.5m x 1m. The application should indicate the proposed mitigations against:

the direct visual intrusion of light spilling to the adjacent environment, especially during autumn to spring seasons when hedging and trees have lost coverage and both adjacent dwellings and wildlife will be impacted;

prevention of degradation of dark sky quality, especially from the large area of skylights, and state the mitigations to be used, in line with TAN guidance.

Owing to the exceptional increase in lighting impact of this development on the DNS environment, we request that SDNPA sets its requirements over every related aspect in the form of conditions on the development, to ensure that the sky quality and the wildlife environment are not impacted, including the impact of as yet unspecified external lighting systems.

Other matters -

Quality and Detail of the Application: Upto fifty villagers attended the Extraordinary Parish Council meeting held on 8th February 2023 to discuss SDNP/22/05927/PA3R. Following this the Parish Council objected to the application, citing also the poor quality and inadequacy of the submission. The application SDNP/23/04050/FUL, might have been expected to provide the detail but poor quality, not as good even than most domestic extension applications, remains. The application has not improved the clarity on the operational development and plans of the facility.

Traffic and highways access. The development will result in a significant increase in actual traffic compared with its previous agricultural use. Our comments remain the same as for SDNP/22/05927/PA3R:

- Significant concerns re vehicle access and egress to/ from the site. Bearing in mind that most visitors using the aparthotel will be strangers to our road system and maybe even to country lanes: Whites Hill is patently unsuitable due to its position at

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the top of a steep hill and very close to a blind bend. The recently created new access on Whaddon Lane is no less dangerous due to its position next to the school bus stop.

- Both lanes are single track with very limited scope for passing and tricky reversing, up/downhill and around blindcorners.

Development Growth. Since the application exhausts the change of use potential of the site, and that further development will only add to the issues outlined, we request that SDNPA sets the condition that no further development of the site be allowed.

Planning Committee: If SDNPA is minded to grant permission on the basis of SDNP/23/04050/FUL as submitted, then OPC wants to be represented at the Planning Committee review.

22 Objecting Representations citing the following material planning reasons:

- Dark Night Skies
- Noise impact
- Trees and hedges
- ROW and traffic
- Plans vague
- Doubles number of guests
- Strain on water and drainage
- Detrimental
- Littering etc
- Dangerous dropped kerb
- Wildlife
- Environmental damage
- Unsuitable
- Not in keeping
- No requirement

Relevant Government Planning Policy and Guidance**Relevant Government Planning Policy and Guidance**

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), updated December 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

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

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- NPPF11 - Making effective use of land
- NPPF12 - Achieving well-designed and beautiful places
- NPPF15 - Conserving and enhancing the natural environment

The following policies of the **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies

Partnership Management Plan

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- Partnership Management Plan Policy 1
- Partnership Management Plan Policy 3

Supplementary Planning Document

Ecosystems Services TAN

Dark Skies TAN May 2021

Design Guide SPD August 2022

Planning Considerations**Principle of development**

Prior notification reference SDNP/22/05927/PA3R was allowed in March 2023 for the Change of use to C1 (Aparthotel), as the proposal accords with Class R, Part 3 of the GPDO 'agricultural buildings to a flexible commercial use' which allows as permitted development the change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use. Therefore, the principle of the use of the building has been established through SDNP/22/05927/PA3R.

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Policy SD4 of the SDLP states that development proposals will only be permitted where they conserve and enhance landscape character. Policy SD5 of the SDLP seeks to ensure that development makes a positive contribution to the overall character and appearance of the area. Proposals should integrate with the landscape and should be sympathetic to the setting in terms of height, massing, roof form and materials.

The application proposes the associated operational development pursuant to application reference SDNP/22/05927/PA3R. This consists of the insertion of mezzanine floors to the Aparthotel units, the re-cladding of part of the barn and the addition of new windows.

The proposed external alterations will retain an agricultural outlook and proportions as no changes are proposed to the positioning or scale. As such the proposal is considered acceptable in principle, subject to accordance with relevant development plan policies.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

Impact on character and appearance of area

The principle of the change of use of the building to class C1 Aparthotel has been established as set out above and this proposal seeks associated operational development pursuant to SDNP/22/05927/PA3R including details of the fenestration.

Barn dimensions

- 41.069 m (L) x 15.556m (w)
- 4.45 m (eaves H) 6.88m (pitch)

Distance from the boundary along PRow 9 to the NW

- 5.95 m (at the closest point)
- 7.75 m (at the furthest point)

Distance from neighbouring properties to the NW –

- 20m from the boundary line

Distance from neighbouring properties to the SE –

- 168.5m m from the barn

Old Green Farm is located within the village of Owslebury and is bounded by Whites Hill to the north and Whaddon Lane to the southeast, there are two existing accesses to the overall site, firstly taken from Whites Hill which is a rural metalled adopted highway

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covered by a 30 mph speed restriction on the approach to the site from the village, and a further access to the Bus Terminus to the north of the site however the site is currently accessed from Whites Hill.

The barn is positioned along the northwest boundary of Whites Hill and Water Lane that forms a public right of way (PRoW) Owslebury 9. The changes to the fenestration will not be openly visible due to the existing vegetation, closed boarded fencing and distance from the boundary line by approximately 9m. Glimpsed views from the PRoW Owslebury 9 to the west are possible, but it is not considered that the views of the altered building will be any more visually prominent than existing with only partial views above eye level due to the raised level of the site along the access lane.

The proposed external alterations will retain the existing agricultural proportions while making efficient use of an existing building. The addition of full height glazing along the southeast and northeast elevations servicing the living spaces will not be visible from the PROW due to the orientation of the barn and views from further afield are blocked by trees and hedgerows with a distance of approximately 150m from the boundary line to the south and a distance of approximately 100m from the southeast (Whaddon Lane).

The proposed powder coated profiled metal with insulated back cladding will maintain an agricultural appearance while the proposed openings maintain the barns proportions. The alterations to the building are therefore considered to be acceptable and will mitigate the resultant view of the building in any longer distance views.

Therefore there is no objection to the proposal in terms of design and appearance. The use of natural materials where possible is considered appropriate for its setting and the existing positioning within the site provides a natural screening from the access lanes and the PRoW lining the westerly boundary.

Overall, the design and visual impact of the proposed development is considered to accord with the aims of SDLP policies SD4 and SD5 would have no adverse impact on the character of the area.

Development affecting the South Downs National Park

The application site is located within the South Downs National Park.

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) updated 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Taking account of the Park's purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and promote understanding of its special qualities, and

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given the assessment above, the development has a neutral impact and does not therefore adversely conflict with the statutory purposes of the SDNP designation.

Historic Environment

Old Green Farm is not a listed building or set within a Conservation Area however Boyes Farm is a grade II listed property positioned to the Northwest of Old Green Farm with the access lane Whites Hill separating the properties. The barn is positioned at a distance of approximately 45m from the grade II listed property.

As the development is within the setting of a Grade II listed building the following legislation and policies are taken into account in the assessment and determination of this planning and listed building application:

Relevant Legislation

The preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policy SD12 and SD13 of the SDLP (2014-2033) and the NPPF (2023) Section 16.

Guidance

Where dealing with listed buildings, decision makers are required to have due regard to the “desirability of preserving the [Listed] building or its setting or any features of special architectural or historic interest which it possesses.” under Section 16/66 of the Planning (Listed Buildings and Conservation Areas Act 1990). Case law has established that where an authority finds that a development proposal would harm the setting of a listed building, it must give that harm “considerable importance and weight”.

Due regard has been given to these requirements, as set out in the assessment within this report.

The historic environment section of the Planning Practice Guidance further outlines the role of the Local Planning Authority in considering the effects of new development that are in the vicinity of or affect the setting of listing buildings and heritage assets. Paragraph 205 of the NPPF advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Policy SD12 and SD13 ensure that development preserves and enhances heritage assets and their settings.

Given the distance of the listed building from the site and the general screening of the building and that there are no changes proposed with regards to the proximity or scale of

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the building, it is considered that the impact to the setting of the listed building will be neutral.

The proposals would accord with the requirements of Section 16 para 205 of the NPPF (2023), Policy SD12 and SD13 of the SDLP and the historic environment section of the Planning Practice Guidance.

Neighbouring amenity

SDLP policies SD5 require proposals to have regard for the amenity of neighbouring properties. The barn within Old Green Farm is positioned on a raised level above the access lane Whites Hill (Northwest) and screened by established hedging and closed boarded fencing. No changes are proposed to the scale or positioning of the existing barn within the site and the addition of rooflights along the Northwest roof ridge will not be openly visible due to the existing angle of the roof.

The barn is positioned within open fields with the nearest neighbouring properties Four Winds, Downs View, Spring Way and Highfields positioned to the Northwest at a distance of approximately 20m and to the Southwest Longfields at a distance of approximately 65m with access lanes lined with established vegetation separating the properties from the barn. It is therefore unlikely to result in any adverse impact on residential amenity either by overlooking, loss of light or through the creation of an overbearing structure due to its scale and design.

With regards to the properties to the Southeast, Westerings, Apple Tree Cottage and the properties that form Orchard House Court the separation distance of approximately 168m will ensure that any overlooking is oblique as the existing boundary treatments will ensure screening is retained.

Concerns have been raised with regards to an increase in noise nuisance, additional traffic, visual impact and overall strain on the existing infrastructure in Owslebury and that the addition of the Aparthotel would be detrimental. However, the application is only for the fenestration and material changes as the use has already been established within application reference SDNP/22/05927/PA3R.

In regard to fenestration the application provides details of this with measures in place to manage light pollution outlined within conditions 4 & 5. With these restrictions it is not considered that the proposal would result in any significant material harm to neighbouring amenity.

For the reasons outlined above the proposal is considered to accord with Policy SD4, SD5 & SD8 of the South Downs Local Plan.

Sustainable Transport

The proposal will have no impact on highway safety/amenity/traffic generation/air quality/sustainable travel/parking ratio/standards as it relates to operational development

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pursuant to SDNP/22/05927/PA3R and the principle of the change of use of the building to class C1 Aparthotel has already been established as set out above.

Therefore the proposal complies with policies SD19 and SD22 of the South Downs Local Plan and the degree of harm and general impact on highway safety, accessibility and parking is in line with Local Plan Policies.

Ecology and Biodiversity

The proposal will have no impact as it is not Development within, bordering or in close proximity to a European Protected Site (I.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites).

The use of overnight accommodation is not being considered within this application.

Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

Therefore, the proposal complies with policy SD9.

Ecosystems Services

Policy SD2 requires all development to have a positive impact on the environment and to include enhancements as part of the proposal, where applicable. The applicant has proposed the following actions:

- Potential to introduce bat and bird boxes
- Introduction of soft landscaping, which may provide habitat and foraging opportunities for mammals, birds and insects.
- Potential to incorporate rainwater harvesting systems (i.e. through use of water butts)
- External lighting will be kept to a minimum in line with Strategic Policy SD8: Dark Night Skies. This is for the benefit of both people and wildlife.
- Re-use of existing buildings to create a bespoke, high quality property that reflects the local agricultural vernacular, and finished to modern standards of sustainability with high quality sustainable materials.

These actions are considered to be acceptable and comply with policy SD2 & SD9.

Dark Night Skies

The South Downs National Park has been designated an International Dark Skies reserve. As such, it is sought to reduce any light pollution associated with new development. Particular care will be taken where sites are within sensitive areas, for example where located in one of the three core zones of the Dark Night Skies Reserve.

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The application site is located within Dark Night Sky Zone E1b - Transition Zone of Darkness.

The purpose of Policy SD8 is to ensure that development does not harm the quality of dark night skies. It also encourages enhancement of the dark night skies of the National Park, for the benefit of people and wildlife. The policy seeks to do this by ensuring that proposed lighting is necessary, and by reducing the unnecessary light spill that is often a result of poor design, in order to minimise the overall impact of light.

The building proposes a number of large rooflights which would result in some upward light spill however following the concerns raised within the Parish comments and further concern by the neighbouring properties amended drawings were submitted by the applicant (19.03.2024) and re consultation was sought.

The amendments within the drawings submitted include the removal of the rooflights along the southeast elevation whilst reducing the number of rooflights from 3 to 2 along the northwest elevation 4 rooflights of which will service the storage area. While it is considered that the addition of rooflights and full height glazing will result in light spillage, as outlined within paragraph 2 of Policy SD8 of the SDNP Local Plan, developments will be permitted if it is demonstrated to be appropriate and any adverse impacts are mitigated to the greatest reasonable extent.

In this case measures are set out in condition 4 to reduce and mitigate light spillage and these are considered to be acceptable. The proposal is therefore considered to be in accordance with policy SD8 of the South Downs Local Plan.

Whilst no external lighting is proposed as part of the application it is recommended that a condition be attached (condition 5) to ensure that consent is sought for any future external lighting proposals in order to maintain the quality of the dark sky reserve.

Sustainable Drainage

No details with regards to drainage have been submitted within the application as the operational development being sought does affect drainage.

Equality

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Planning Balance and Conclusion

The principle of the change of use of the building to class C1 Aparthotel has been established as set out within planning application SDNP/22/05927/PA3R.

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The proposed development is not considered to be significantly harmful to the character and appearance of the local area, the setting of the nearby listed building or the South Downs National Park and therefore complies with the policy requirements of SD4, SD5, SD8 of the SDNP Local Plan.

The development would not result in a detrimental impact on the amenities of neighbouring properties in terms of noise disturbance, loss of privacy, light or overbearing impacts above those expected within an agricultural setting. The development is not considered to result in an unacceptable impact on the dark night skies of the South Downs National Park. For the reasons outlined above, the application is therefore recommended for approval.

Recommendation

Application Permitted subject to the following conditions:

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. No development shall be carried out above ground floor slab level until a schedule of external materials finishes and samples to be used on the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To safeguard the appearance of the building and the character of the area and to enable the Local Planning Authority to properly consider the development. It is considered necessary of this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

4. The development hereby permitted shall not be occupied until details of measures to reduce light spillage from the proposed roof lights and full height glazing along the southeast & northeast elevations (such as low transmittance glass) have been submitted

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to and approved in writing by the Local Planning Authority. The measures shall be installed and operated in accordance with the approved details and retained thereafter at all times.

Reason: To minimise light intrusion in the South Downs National Park which is a designated International Dark Sky Reserve.

5. No external lighting shall be installed on the building or within the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of night time amenity, tranquillity and protect and conserve the International Dark night Skies.

Informative:**1. Crime and Disorder Implications**

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

2. Human Rights Implications

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.

3. Equality Act 2010

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

4. Bat Protection

Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g., droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.

5. Proactive Working

In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of an onsite meeting to add additional value as identified by SDNPA Officers and consultees.

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

Plan Type	Reference	Version	Date Received	Status
Plans – Site Location Plan	001	-	26.09.2023	Approved
Plans – NORTH / SOUTH ELEVATIONS	2246 - 3036	B	19.03.2024	Approved
Plans GABLE ELEVATIONS	2246 - 3037		26.09.2023	Approved
Plans -UNITS 1-5 FIRST FLOOR	2246 - 3044	A	19.03.2024	Approved
Plans-UNITS1-5 GROUND FLOOR	2246 - 3045		26.09.2023	Approved

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