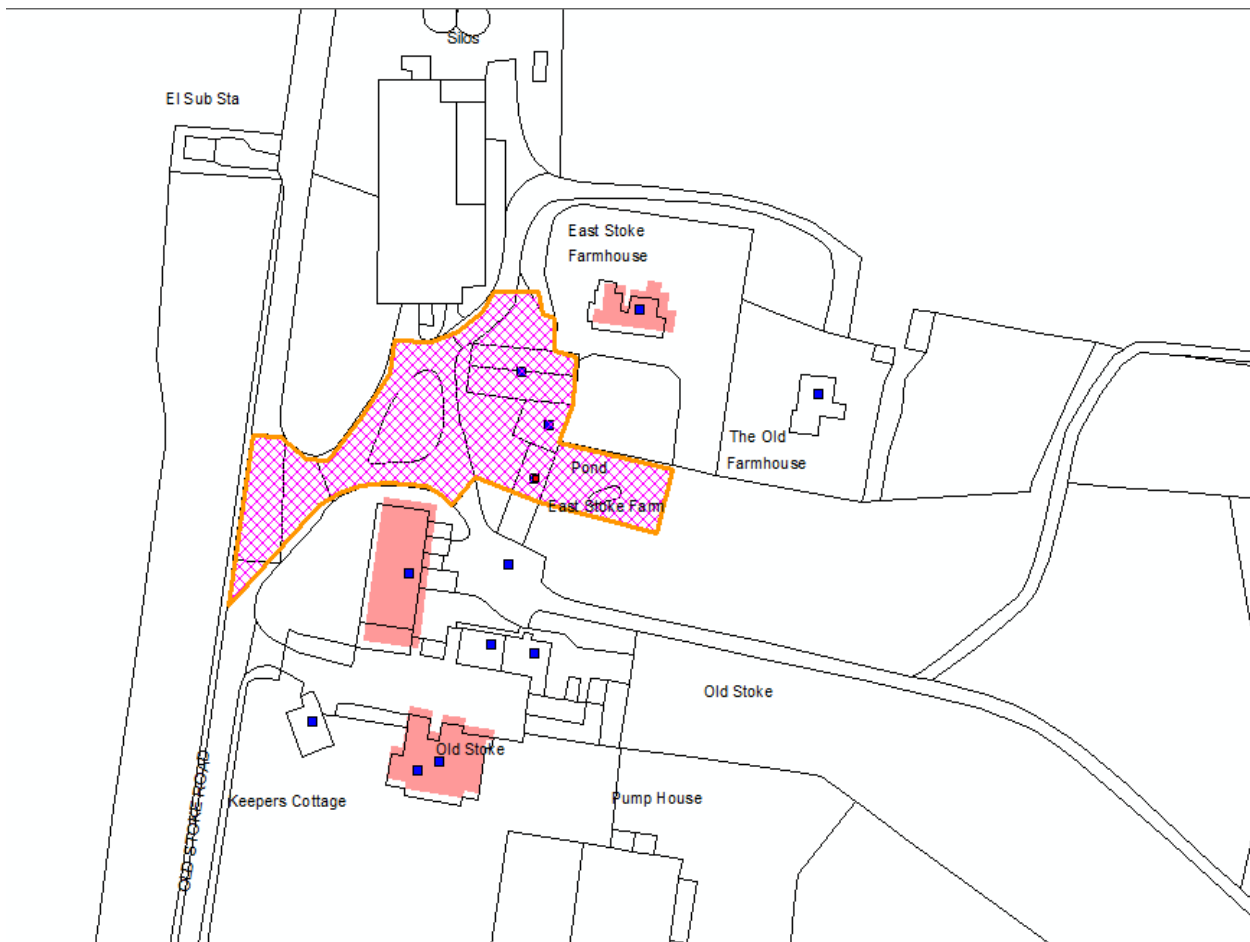


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**Case No:** 23/01890/FUL  
**Proposal Description:** Conversion of existing Agricultural Building into two residences; partial demolition to form a car port. (Revised plans)  
**Address:** Workshop East Stoke Farm Old Stoke Road Stoke Charity  
Winchester  
**Parish:** Wonston  
**Applicants Name:** T Bunney  
**Case Officer:** Matthew Rutledge  
**Date Valid:** 7 August 2023  
**Recommendation:** Permit  
**Pre Application Advice:** No

**Link to Planning Documents**

[Link to page – enter in reference number 23/01890/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)  
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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**Reasons for Recommendation**

The development is recommended for permission as it is considered that the proposal represents the most suitable use of the non-designated heritage asset in a manner that will

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ensure the retention of the building and its character in accordance with policy DM32 of the LLP2 and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2.

### **General Comments**

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

### **Amendments to Plans Negotiated**

Amendments have been made to the originally submitted plans in order to better preserve the architectural character of this rural building.

The amendments requested were as follows:

- Retention of open fronted lean-to on the rear of the building. Originally intended for removal, this element is considered to contribute to the architectural character of the agricultural building and was therefore requested to be retained and included in the proposed designs.
- Amendments to the design of the two new entrance doors and the door in the rear elevation to be more in-keeping with the age and agricultural character of the building.
- Retention of the roller bracket from the existing roller shutter door so as to incorporate a means to interpret the historic form and function of this feature.
- Reduce the number of skylights to the rear roof pitch, which appeared cluttered and detracted from the appearance of the building in the original design.
- The original designs incorporated large concertina garden doors to each dwelling which were considered to be too drastic an alteration, resulting in the loss of a large amount of historic fabric. The new openings were requested to be reduced in size significantly.

Additionally, details of the proposed landscaping arrangements were requested to ensure they were appropriate in the setting of a historic farmstead and would not unduly alter the rural and agricultural character of the building's setting.

The amended plans are listed below, all submitted 18 January 2024 and readvertised to neighbours by way of letter sent on 26 February 2024:

- Proposed plans 028.09 P.08 A
- Proposed elevations 028.09 P.10 A & 028.09 P.11
- Proposed roof plan 028.09 P.09 A
- Proposed landscape plan 028.09 P.12

### **Site Description**

East Stoke Farm is situated to the north of Winchester, midway between and slightly east of Sutton Scotney and South Wonston. It is surrounded on all sides by agricultural land.

The applicants acquired approximately 2,400 acres of agricultural land in the year 2000.

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Part of this land included the farm yard known as East Stoke Farm, which is surrounded by approximately 800 acres of the overall agricultural land. Within the total 2,400 acres owned are other active agricultural farmyards and buildings.

East Stoke Farm is made up of a number of buildings centred around a central, shared yard. The application building (building 5) is positioned centrally, with a number of residential buildings surrounding it and two agricultural barns also in close proximity.

For ease of understanding, please refer to the below map extract with the relevant buildings numbered in line with the planning statement submitted in support of this application. The numbered buildings are within the blue line showing land owned by the applicant as per the submitted Location Plan 028-09 P.01. Further residential dwellings are positioned south of this but have not been numbered. Buildings 5, 4, and 3 are those within the red line and are the subject of this application.



Immediately to the north east of the application site, the nearest building is East Stoke Farmhouse (7). East Stoke Farmhouse is a grade II listed building in residential use. Further east of this is another residential dwelling, The Old Farmhouse (8). To the north west is a modern, large, steel framed agricultural barn (6). This barn, and the grain silos

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to the north, are also no longer in agricultural use according to statements provided by the applicant, with the grain drying and storage facility having moved to a more modern and suitable building elsewhere within the applicant's land.

To the south west of the application site is a grade II listed traditional barn that faces towards Old Stoke Road (1). Just behind the barn, to the east, are two residential properties. Set south of the barn and these residential properties is a grade II listed building, Old Stoke, which is also in residential use. The garage to Old Stoke has been converted to a separate residential dwelling, and further west is a small residential dwelling named Keepers Cottage.

The main building that is the subject of this application was a former grain store and still contains old machinery linked to this use. The building, which is referenced as building 5 on the existing site plan 028-09 P.01, is a mid to late 19<sup>th</sup> century ancillary farm building situated within East Stoke Farm. Building 5 is constructed of red bricks in an English bond pattern, and features a slate roof with exposed rafter feet. To the rear, and across the width of the building, is a single storey open fronted lean-to, which has been constructed of brick and breezeblock with a corrugated roof. The building has a roller shutter door on the south elevation and there are various agricultural features/equipment visible externally.

The Council's Historic Environment team have identified that the buildings that are the subject of this application (5, 4, and 3) are not to be treated as curtilage listed, however, building 5 is considered to be a non-designated heritage asset.

There are three additional structures adjoining building 5 and stretching to the south. These buildings are referenced 4, 3, and 2, from north to south. Buildings 3 & 4 are included within the red line boundary of this application. Buildings 3 & 4 are built of concrete blocks with a corrugated asbestos roof and are not considered to have any architectural merit. Building 2, which does not form part of this application, has slightly greater aesthetic value.

## **Proposal**

The proposal is for the conversion of building 5 to form two residential dwellinghouses. These will be a 2 bedroom and 3 bedroom property. The adjoining structures, buildings 3 & 4, are intended to be partially demolished and replaced with car ports.

Building 5 currently has an agricultural use but is redundant for agricultural purposes. Buildings 3 & 4 currently have a commercial use.

The existing access to East Stoke Farm will be utilised for the new residential dwellings. The proposed car ports will provide 5 parking spaces.

The proposal does not include any substantial physical alterations to the form of building 5, with the exception of some new openings, and therefore the existing fabric of the structure will be retained. It is, however, proposed that the roof of the rear lean-to structure is changed to a new slate roof to match that of the main building. Existing brickwork from buildings 3 & 4 will be retained to form the rear wall of the car ports. An oak frame will be constructed with a pitched slate roof and exposed rafter feet to complete the form of the new car ports.

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The proposal includes the upgrade of the cesspit on site, that serves the existing residential dwellings, to a modern package treatment plant. The proposed package treatment plant would continue to serve the existing dwellings as well as the two additional residential dwellings created under this proposal.

### **Relevant Planning History**

98/01316/CHU - Change of use from agriculture workshop to furniture making workshop (RETROSPECTIVE). PER 2nd November 1998.

01/00932/FUL - (AMENDED DESCRIPTION) Change of use from agricultural buildings to carpenters workshop building no. 6 and to storage no. 5 (RETROSPECTIVE). PER 3rd July 2001.

01/00933/FUL - (AMENDED DESCRIPTION) Change of use from agricultural building to storage of machinery and materials, (building No.7) (RETROSPECTIVE). PER 3rd July 2001.

01/00476/FUL - Erection of a grain drying and storage building and construction of a weighbridge. PER 12th September 2001.

02/01128/FUL - Erection of a grain drying and storage building and weighbridge. PER 25th July 2002.

### **Consultations**

#### Service Lead – Built Environment (Historic Environment)

- Following negotiated alterations to plans as described above, no objection subject to recommended planning conditions. These conditions secure a programme of recording for buildings 3 & 4, the removal of permitted development rights, and the provision of additional details regarding materials, windows, rooflights, dormers and external doors.

#### Service Lead – Engineering (Drainage)

- No objection to the proposal subject to the inclusion of a pre-commencement planning condition on any permission given, to ensure a site assessment is provided for both foul and surface water drainage.

#### Service Lead – Sustainability and Natural Environment (Ecology)

- Confirmed that the precautionary measures stated in the submitted ecology report are proportionate or that areas with potential for protected species will not be affected by this proposal.
- Confirms that proposed mitigation in relation to the day roost of a common pipistrelle is considered acceptable.
- Recommends that, should the application be permitted, the implementation of the measures detailed in the submitted ecology report are secured by planning condition, as is the provision of a single integrated bat feature and a single integrated bird feature.

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Service Lead – Public Protection (Environmental Health)

- Identified an above ground diesel fuel tank in close proximity to the proposed development and commented that the proposed garden areas are situated in an area of the farm yard. As such, there is potential for soil contamination or soil gas. Therefore, a number of planning conditions have been recommended should the proposal be permitted.

Hampshire County Council (Highway Authority)

- Use of the existing access off Old Stoke to serve the proposed development is not likely to be detrimental to the highway.

Natural England

- No further concerns subject to securing mitigation to the nutrient impacts of the development through a Grampian condition.

Service Lead – Estates Team

- Has reviewed the suitability of alternative uses of Building 5 and is broadly in agreement with the appraisal of alternative uses submitted in support of this application.

**Representations:**

Wonston Parish Council

Submitted comments neither objecting to or supporting the application. Highlighted the need for consideration/consultation on matters such as sewage, highways, and the historic nature of the setting.

6 Objecting Representations received citing the following material planning reasons:

- Site access – unsafe due to position on brow of hill, previous accidents in this location.
- Drainage – package treatment plant proposed to replace existing cesspit that services the existing residential dwellings. Concerns raised regarding potential disruption to the existing system, unknown situation regarding the future legal situation for ownership and maintenance of the proposed package treatment plant, potential issues relating to noise and odour.
- Contaminated land – from previous farming use.
- Negative impact on the setting of listed buildings.
- Negative impact on the rural character of the area.
- Negative impact on the residential amenity of neighbours by way of noise and reduced privacy.
- Suitability of utility services – power outages common, poor internet and phone signal.

Concerns raised that are not material to planning:

- The views from existing properties over the yard will be negatively impacted.
- Future development prospects/implications – The website of the agent implies a subsequent application for further development may be submitted. Residents

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believe this is likely to be in relation to building 6.

No Supporting Representations have been received.

**Relevant Government Planning Policy and Guidance**

National Planning Policy Framework (December 2023)

Chapter 2 – Achieving Sustainable Development  
Chapter 4 – Decision Making  
Chapter 5 – Delivering a Sufficient Supply of Homes  
Chapter 8 – Promoting healthy and safe communities  
Chapter 12 – Achieving Well Designed and Beautiful Places  
Chapter 15 – Conserving and Enhancing the Natural Environment  
Chapter 16 – Conserving and the Historic Environment

National Planning Practice Guidance

Natural Environment 2019  
Climate Change  
Consultation and pre-decision matters  
Design: process and tools  
Environmental Impact Assessment  
Flood risk and coastal change  
Planning Obligations  
Use of planning conditions

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1)

Policy DS1 – Development Strategy and Principles  
Policy MTRA4 - Development in the Countryside  
Policy CP1 - Housing Provision  
Policy CP2 - Housing Provision and Mix  
Policy CP11 - Sustainable Low and Zero Carbon Built Development  
Policy CP13 – High Quality Design  
Policy CP15 – Green Infrastructure  
Policy CP16 – Biodiversity Policy  
Policy CP20 – Heritage and Landscape Character

Winchester District Local Plan Part 2 – Development Management and Site Allocations

Policy DM1 – Location of New Development  
Policy DM2 – Dwelling sizes  
Policy DM15 – Local Distinctiveness  
Policy DM16 – Site Design Criteria  
Policy DM17 – Site Development Principles  
Policy DM18 – Access and Parking  
Policy DM23 – Rural Character  
Policy DM24 – Special Trees, Important Hedgerows and Ancient Woodlands  
Policy DM29 – Heritage Assets  
Policy DM32 – Undesignated Rural and Industrial Heritage Assets

Supplementary Planning Document

National Design Guide 2019  
High Quality Places 2015

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Air Quality Supplementary Planning Document 2021  
Residential Parking Standards 2009

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.

Nature Emergency Declaration.

Statement of Community Involvement 2018 and 2020

Position Statement on Nitrate Neutral Development – February 2020

**Planning Considerations**

**Principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2023) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposal seeks to convert a non-designated heritage asset, in the form of a redundant agricultural building, into two new residential dwellings in the countryside. LPP1 Policy MTRA4 seeks to limit development in the countryside to the following types:

- Development that has an operational need for a countryside location.
- Proposals for the re-use of rural buildings for employment, tourist accommodation, community use, or affordable housing.
- Expansion of existing buildings to facilitate the expansion of on-site established businesses or to meet an operational need, provided development is proportionate to the nature and scale of the site, its setting and countryside location.
- Low key tourism development.

Whilst the proposal is not considered to meet any of the above development types, LPP2 Policy DM32 allows for the change of use of redundant agricultural buildings of historic or architectural interest (provided the development accords with the Development Plan), where that change of use is considered to be the only means of ensuring the retention of the building and its character. Policy DM32 is therefore the key policy in assessing this application.

Policy DM32 states that before the building can be used for residential purposes, it must be demonstrated that other uses have been considered and justifiably discounted. Both the agent and the applicant's land agent have provided commentary on alternative uses of the building and the reasons they have discounted those uses. This is summarised below:

*Agricultural use*

- The last use of building 5 was for the drying and storage of grain. Since acquiring the site in 2000, the applicant has not utilised the building. This is predominantly for two reasons. Firstly, the capacity is too small to store/dry the quantity of grain generated from the surrounding farmland. Secondly, the building has been set up and had a system installed that is now an outdated method for the drying and storage of grain.
- Building 6, planning permission reference 02/01128/FUL, was constructed as a more suitable method of drying and storing grain. As were two grain silos that are

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positioned behind building 6. Subsequent to this, permission 11/00377/FUL granted planning permission for two barns east of the application site that provide for a modern, fully automated, system for grain drying and storage that requires no supervision. As such building 5 is redundant for this purpose.

- East Stoke Farm yard itself is now no longer used for agricultural purposes, with the farming activity having moved to alternative sites with more suitable buildings within the overall landholding of the applicant.
- The farm estate includes multiple larger and more modern buildings that meet current and anticipated agricultural requirements.
- Should there be a future demand for additional agricultural buildings, the large steel framed barn (building 6) would be better suited to meet this demand.
- Building 5 is unsuitable for modern farming needs as it would be too small to accommodate modern farming equipment and would only be able to be used for storage of small items or a small quantity of materials, that would overall provide little benefit to a farm of the size owned by the applicant.

*Industrial use*

- The building is overall too small, but in particular too narrow and low, to accommodate modern industrial uses.
- The single roller shutter door is too small and not positioned in an easily accessible location, such that use of the site with or by larger equipment would not be possible.
- Other buildings are more appropriate for this use, such as building 6.
- Buildings 2, 3, and 4 have been intermittently used as workshops/commercial uses and it has been challenging to secure and manage suitable tenants.
- Use of this nature is likely to be more detrimental to the character of the farmyard and building 5.

*Office use (or similar Class E)*

- Costs of conversion compared to the potential income from this type of use makes the option unattractive.
- The useable footprint is quite small and therefore would only be suitable for one occupancy.
- The need for parking may be substantial, for both staff and visitors/customers, for this use type as the site is only accessible by car. Similarly, this use type is likely to result in high vehicle movements.
- Infrastructure such as broadband may not be high-quality.
- Demand for Class E uses is overall significantly lower than in previous years (pre-Covid). Most demand would be for premium floorspace that is highly accessible with good infrastructure and plenty of parking. Demand for smaller units is occasional and a niche market.
- Building 6 may again be more suitable for conversion to this use type.

The Council's Service Lead for Estates has been consulted with specific regard to the alternative uses of the building and the arguments, as summarised above, put forward by the applicant. The Estates team has concluded that they would be broadly in agreement with the arguments put forward as above, and have made the following comments:

*'The road leading to the farm is narrow and not really suited to large and heavy lorries. Industrial occupiers really want to be close to a motorway junction or on a major arterial*

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*route. The building itself is not what industrial occupiers are looking for, it's too small, not high enough and too compromised.'*

*'there might be very limited demand for small office suites in a nice rural location but the reality is they will not achieve a high enough rent to justify the land owner spending the money needed to create a good enough product to attract decent tenants. I know small offices in rural locations do work on occasion but normally the buildings they are created from are more suited to office use in the first place.'*

It is therefore considered that building 5 is redundant for agricultural purposes and that alternative uses have been sufficiently considered and discounted based on justifiable reasoning.

Policy DM32 also states that the building must be capable of conversion without significant structural alteration or replacement, or changes that would be detrimental to its character, historic interest, setting, historic fabric or features. Building 5 presents as a suitable prospect for conversion to residential dwellings. The proposed plans do not extend or alter the overall form of the building and new openings introduced are, following changes requested by the Council's Historic Environment team, minimal.

It is not considered that the building forms part of a complex of agricultural or industrial buildings, with the majority of buildings in the group being residential properties. One agricultural building, number 6, remains but is not currently used due to the construction of more modern and suitable agricultural buildings elsewhere on the applicant's farmland. Buildings 2, 3, and 4 have commercial uses, but again it is understood that they have not been utilised in recent years.

Given the properties positioned around the yard are now almost entirely residential, it is considered that other uses, such as those falling within Class B & E, are likely to be more detrimental to the character of the surrounding area. Conversion to a use falling within Class B may result in greater alterations to the form of the building and loss of fabric, due to the changes that may be needed in order for the building to accommodate modern industrial equipment. Conversion to a use under Class E may result in greater harm to the rural character of the setting by way of increased trip generation and vehicle parking requirements.

As a result it is considered that the residential conversion of the building accords with policy DM32.

The applicant has highlighted that Class Q, Part 3 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015, is a viable fallback option for conversion of building 5 to residential dwellings.

It is considered that building 5 is a suitable candidate for conversion under Class Q and would be likely to achieve consent should a prior notification be received in that regard. Class Q would not, however, enable the conversion of buildings 3 & 4 to create car ports, as they are not in agricultural use. This would result in a slightly less beneficial outcome than the current proposal as the parking provision would be less favourable. However, the fact that a viable fallback option is likely for the main building for residential conversion is also a material consideration in supporting the case for allowing this application.

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Policy CP2 of the LPP1 also requires that new residential development should provide a mix of housing sizes with the majority of homes in the form of 2 and 3 bed houses. As this proposal is for a 2 and 3 bed house it complies with CP2.

In summary, based on the above reasoning, the proposal is considered to be in accordance LPP2 Policy DM32 and the principle of development is therefore acceptable.

**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 East Stoke Farm yard is now predominantly redundant for agricultural purposes, with the farming operation being carried out at other locations within the applicants land. There are now seven residential dwellings in close proximity to the yard.

Whilst the character of the area is now more residential than working farmyard, it still retains a strong rural and agricultural character.

LPP2 Policy DM23 states that development proposals falling outside of defined settlement boundaries, which accord with the Development Plan, will be permitted where they do not cause an unacceptable impact on the rural character of the area by:

- Visual intrusion
- Introduction of incongruous features
- Destruction of locally characteristic rural assets
- Negative impacts on the tranquillity of the environment

The proposal seeks to retain and preserve the non-designated heritage asset, building 5. The form of the building is not substantially changed, and the existing fabric is retained, along with some features linking to the agricultural past such as the roller bracket for the roller shutter door which is proposed to be replaced with glazing.

Buildings 3 & 4 are to be partially demolished and replaced with car ports. These buildings are of no historic or agricultural importance and the design of the replacement car ports is considered to be sympathetic to the rural character of the site.

As such it is not considered that the proposal causes visual intrusion. Building 5 is a rural asset, which is to be retained and preserved. Buildings 3 & 4 have no historic or agricultural importance. As such there is no destruction of locally characteristic rural assets.

The design of the conversion of building 5 has been reviewed by the Council's Historic Environment team, who have no objections to the design having secured some amendments as already listed. The converted building does not, therefore, introduce any incongruous features.

Additionally, a landscaping plan has been submitted and reviewed by the Historic Environment team to ensure that the landscaping is appropriate for the historic farmyard setting. The landscaping to the front of the converted building is minimal and includes a

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native wildflower seed mix which is considered in-keeping with the rural area. The residential curtilages to the rear will be screened from public view by a native hedge mix, which is considered to be in-keeping with the rural and agricultural nature of the rest of East Stoke Farm. The Historic Environment team have also confirmed that the landscaping is considered to be appropriately understated and therefore does not cause visual intrusion or introduce incongruous features.

The addition of two residential properties in this location is not considered to have a negative impact on the tranquillity of the environment.

Based on this assessment the proposal complies with policy DM23.

As previously discussed in this report LPP2 Policy DM29 seeks to limit the loss or harm to heritage assets, with several Grade II listed buildings in proximity to the application site. The Council's Historic Environment team have been consulted regarding the proposal and no harm to the setting or special interest of the listed buildings has been identified.

The proposal is considered to conserve the rural character of building 5, and the farmyard, thereby according with LPP2 Policy DM15. Similarly, it is considered that the design of the proposed residential dwellings, their respective curtilage, boundary treatment, and landscaping respond positively to the character of the area. The proposal therefore complies with LPP2 Policy DM16.

For the reasons discussed above, the proposal therefore complies with policies CP13 and CP20 of the LPP1 and DM15, DM16, DM23, and DM29 of the LPP2.

### **Development affecting the South Downs National Park**

The application site is located 4.5km from 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.

Due to the distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

In conclusion therefore the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

### **Historic Environment**

The works affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

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The building to be converted into residential dwellings is a non-designated heritage asset. There are three Grade II listed buildings within the vicinity of the application site, ranging between approximately 8m and 70m from the building proposed for conversion. Therefore, the proposal affects the setting of these listed buildings.

The following legislation and policies are taken into account in the assessment and determination of this planning application.

#### Relevant Legislation

The preservation of the special architectural/historic interest of the nearby listed buildings and their settings (S.66 P(LBCA) Act 1990; Policy DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

The preservation of a non-designated heritage asset (Policies DM29 & DM32 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; 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 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 Historic Environment consultation response and 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 CP20 of WDLPP1 and Policy DM29 of WDLPP2 ensure that development preserves and enhances heritage assets and their settings.

The East Stoke Farm yard is an example of a historic farmstead with three listed buildings encircling the main yard. The yard therefore contributes to the setting of the listed building and aids in interpreting the historic function of the buildings and farmyard, along with maintaining the rural and agricultural character of the setting. The significance of the non-designated heritage asset derives from its architectural and historic value as a typical example of a mid to late 19th century ancillary farm building.

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The farmyard and heritage assets are experienced from public views along Old Stoke Road. The traditional Grade II listed barn fronting the road is most visible, however, the application site is positioned centrally to the yard, albeit set back from the road. The grade II listed barn, modern steel framed barn, along with buildings 2, 3, 4, & 5 create the agricultural character of the historic farmyard. The Grade II listed residential dwelling East Stoke Farmhouse, to the rear of the application site, is not readily visible from Old Stoke Road.

Keepers Cottage and Grade II listed building Old Stoke, have a separate access from Old Stoke Road and therefore are experienced with a degree of separation from the adjacent farmyard, although there is a clear relationship between the two areas.

The proposal retains the form and majority of the fabric of building 5 meaning that its appearance will remain that of a 19<sup>th</sup> century farm building. While buildings 3 & 4 are to be partially demolished and replaced with car ports, these buildings are a modern addition and not considered to have historic or architectural value. The design and materials used in the car ports is considered to be in keeping with the rural and agricultural character of the yard. As such, the proposal is not considered to impact on the significance of the heritage assets or the historic character of the agricultural farmstead. The setting of the farmyard, and how the heritage assets are experienced as part of it, is therefore preserved.

In terms of the change of use of building 5 to residential, following the amendments to the design of the proposed dwellings, the Historic Environment team have confirmed they have no objections to the conversion of the barn to residential dwellings subject to recommended planning conditions. As noted above, there is no objection to the partial demolition of buildings 3 & 4 and the replacement with car ports, due to the fact these buildings are more modern additions with no architectural or historic value. This is again subject to recommended planning conditions linked to the partial demolition.

It is therefore considered that the architectural and rural character of building 5 is preserved and no harm to the special interest of the listed buildings, or their setting, has been identified.

In conclusion, it is considered that the proposals will preserve the significance of the listed buildings and the non-designated heritage asset. The proposals would accord with the requirements of Section 16 para 205 and 209 of the NPPF (2023), Policy CP20 of WDLPP1, along with Policies DM29 and DM32 of WDLPP2 and the historic environment section of the Planning Practice Guidance.

### **Neighbouring amenity**

The nearest neighbour to the application site is East Stoke Farmhouse, the curtilage of which is adjacent to the north east corner of building 5.

There is no change to the form of building 5 and as such the proposal would not result in negative impacts on East Stoke Farmhouse by way of overshadowing or overbearing.

With the exception of three rooflights proposed to the north elevation, which are not considered to provide views that would be intrusive to the privacy of East Stoke Farmhouse, there are no other windows at first floor that would provide views towards East Stoke Farmhouse.

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The remaining residential properties situated around the yard are sufficiently distant and positioned such that it is not considered they would be negatively impacted by way of overlooking.

The boundary treatment enclosing the rear gardens of the proposed new dwellings is to be a 1.1m timber picket fence. This is in line with the existing boundary treatment between East Stoke Farmhouse and the part of the application area that is to become residential gardens.

The addition of two residential dwellings is not considered to cause any ongoing noise disturbance.

Therefore, the proposal complies with policy DM17 of WDLPP2.

### **Sustainable Transport**

Hampshire County Council have been consulted as Highway Authority with regard to this application. The Highway Authority has made no objection to the proposals and has concluded that utilising the existing access for the two new residential dwellings is not likely to impact the highway.

The proposal creates 5 parking spaces under the proposed new car ports. The proposed residential dwellings are two and three beds respectively. The parking provision is therefore in accordance with the Car Parking Standards Supplementary Planning Document.

Therefore, the proposal complies with policy DM18 of WDLPP2.

### **Ecology and Biodiversity**

The proposal is for Development within, bordering or in close proximity to a Nationally Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) and is for overnight accommodation affecting Nitrates. This is discussed further under the Appropriate Assessment heading below.

### **Protected Species**

The presence of a protected species is a material consideration when a Planning Authority is considering a development that, if implemented, would be likely to result in harm to the species or its habitat. European protected species (EPS) have full protection under The Conservation of Habitats and Species Regulations 2017. It is an offence to deliberately capture, injure or kill, or deliberately disturb EPS.

In this instance, a Phase 1 Ecological and Bat Roost Assessment has been submitted alongside the application and identifies the presence of bats, specifically a common pipistrelle bat day roost within building 5. The report recommends mitigation measures such as:

- The provision of a bat box installed on the mature trees located within the site grounds.
- Demolition mitigation strategy as set out in the report at 15.2.

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- Construction works between March and October should be undertaken during daylight hours only to avoid disturbance to bats that may forage and commute through or near the site.
- Lighting to the completed dwelling should be as low brightness as possible, kept at a low level and directed away from all boundaries and adjacent buildings. Lighting on sensors should not be so sensitive that foraging bats trigger them.

The Council's Ecology Officer has confirmed that the proposed mitigation is considered acceptable and has no objections subject to the inclusion of a condition to secure the recommended measures in the report. The Ecology Officer also recommends the provision of a single integrated bat feature such as a bat brick, and a single integrated bird feature such as a swift box.

The Phase 1 Ecological and Bat Roost Assessment contains further mitigation measures in order to avoid harm to badgers and hedgehogs, ensure suitable areas for reptiles are not created during construction works, and avoid the disturbance of breeding birds.

All the above measures are secured by condition 11.

Opportunities for enhancement have been identified as the following:

- Creation of a native species hedgerow.
- Addition of three bird nest boxes.
- Addition of bat boxes.

The presence of a protected species on site has therefore been addressed and the submitted reports are acceptable. The proposal therefore complies with policy CP16 of the LPP1.

### **Appropriate Assessment.**

Please refer to the Appropriate Assessment Statement, and subsequent consultee response from Natural England, at the link below:

[23/01890/FUL | Conversion of existing Agricultural Building into two residences; partial demolition to form a car port. \(Revised plans\) | Workshop East Stoke Farm Old Stoke Road Stoke Charity Winchester Hampshire SO21 3PL](#)

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive contribution of **3.15 Kg/TN/year** and **1.03 Kg/TP/year** is made. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition (12) complies with this strategy and would result in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to

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its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework (2023).

The development therefore complies with The EU Habitats Directive and Conservation of Habitats & Species (Amendment) Regulations 2011 and policy CP16 of the LPP1 and contains an Appropriate Assessment as Competent Authority.

**Sustainability**

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. However, the proposal is for a conversion where the Council would not apply the code for sustainable homes and the building is too small for BREEAM to be applied.

The proposal therefore complies with policy CP11 of the Local Plan Part 1.

**Trees**

Policy DM24 of the LPP2 allows development which does not result in the loss or deterioration of ancient woodlands, important hedgerows, special trees, ground flora and the space required to support them in the long term.

The application site and surrounding area does not contain any trees.

The proposal will therefore comply with policy DM24.

**Sustainable Drainage**

The Council's Drainage Engineer has been consulted on the proposals. They raise no objections on the grounds of flood risk, provided a pre-commencement condition for foul and surface water drainage (10) is imposed.

The proposed drainage layout is considered to be acceptable in theory, however, a site assessment is required in order to provide the necessary details on the size and viability for both the foul and surface water drainage.

The proposal also includes the provision of a package treatment plant to service the two new dwellings as well as the existing residential dwellings in the area. Detailed design proposals for the package treatment plant will need to be submitted for approval, including either obtaining the necessary permit from the Environment Agency or demonstrating compliance with the exemption requirements.

Further, as the package treatment plant is to service numerous dwellings, submission of a Management and Maintenance Plan will be required.

Therefore, the proposal complies with policy DM17 of the LPP2.

The Council's Environmental Health team were consulted with regard to the potential for contaminated land.

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Given that the proposal is situated in close proximity to an above ground diesel fuel tank and the proposed gardens are situated in an area of the farmyard, the Environmental Health team have confirmed the potential for soil contamination or soil gas.

However, the Environmental Health team have confirmed that the potential for contamination can be assessed through the submission of further details and that it is acceptable to secure this information through planning conditions. Therefore conditions 7 to 9 have been recommended to secure this.

The proposal is therefore in accordance with policy DM21 of the LPP2.

### **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 proposal does not accord with policy MTRA4 which sets out the types of development that would normally be acceptable in the countryside. However, the proposal is considered to accord with LPP2 Policy DM32 in that a residential conversion of the building is considered to be the best option available to preserve the non-designated heritage asset.

The proposal will also preserve the character of the historic farmyard and the setting of the nearby Grade II listed buildings in accordance with policy DM29 and is acceptable in terms of the general impact on the character and appearance of the area.

Other planning considerations such as impact on highways, residential amenity, drainage, contamination, biodiversity and sustainability have been considered and are acceptable in accordance with the local plan.

Therefore, it is considered acceptable to allow the conversion of this non-designated heritage asset to residential in this case and the application is recommended for permission.

### **Recommendation**

Permit 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).

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- 2 The development hereby approved shall be constructed in accordance with the following plans:

Proposed Block Plan 028.09 P.03 Submitted 18 January 2024  
Proposed Plans 028.09 P.08 A  
Proposed Roof Plan 028.09 P.09 A  
Proposed Elevations 028.09 P.10 A  
Proposed Elevations (2) 028.09 P.10 A  
Proposed Elevations (3) 028.09 P.11  
Proposed Landscape Plan 028.09 P.12  
Schematic Drainage Proposals 12835-Sk D1 Rev P2

Reason: In the interests of proper planning and for the avoidance of doubt.

- 3 No related works shall commence on site until large-scale details of all new and altered windows, rooflights, dormers, and external doors to Building 5 have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include joinery drawings at a scale of 1:10, 1:5 and 1:1 as necessary, showing elevations and sections, the relationship with surrounding fabric, and details of finishes. Following approval of those details, the works shall be carried out and thereafter retained in strict accordance with the details so approved.

Reason: Further information is required because insufficient information was submitted in this regard to ensure preservation of the significance of the non-designated heritage asset, in accordance with Section 16 of the National Planning Policy Framework 2023, Policy CP20 of the Winchester District Joint Core Strategy 2013, and Policy DM31 of the Winchester District Local Plan Part 2 2017.

- 4 No development shall commence on site until a programme of recording of Buildings 3 & 4 has been carried out. This shall be to the equivalent of a Historic England Level 1 Building Record, as set out in 'Understanding Historic Buildings: A Guide to Good Recording Practice' (Historic England 2016). A report detailing the results of this record shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the buildings' demolition.

Reason: To ensure that any hitherto unknown architectural or archaeological features in the building are recognised, recorded and the results disseminated, in accordance with Section 16 of the National Planning Policy Framework 2023, Policy CP20 Winchester District Joint Core Strategy 2013, and Policy DM31 of the Winchester District Local Plan Part 2 2017.

- 5 No related works shall commence on site until full details of all new materials and finishes to be used for the roof of the Building 5 lean-to, and the new car port, have been submitted to and approved in writing by the Local Planning Authority. The schedule shall be accompanied by labelled samples. Following approval of those details, the works shall be carried out and thereafter retained in strict accordance with the details so approved.

Reason: To ensure preservation of the significance of the non-designated heritage asset, and the setting of nearby listed buildings in accordance with Section 16 of the National Planning Policy Framework 2023, Policy CP20 of the Winchester District

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Joint Core Strategy 2013, and Policies DM29 and DM31 of the Winchester District Local Plan Part 2 2017.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C, D, E and F, of Part 1 and Class A of Part 2; of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To ensure preservation of the significance of the listed buildings and non-designated heritage asset on the farm, in accordance with Section 16 of the National Planning Policy Framework 2023, Policy CP20 of the Winchester District Joint Core Strategy 2013, and Policies DM29 and DM31 of the Winchester District Local Plan Part 2 2017.

- 7 No development shall take place unless otherwise agreed in writing until a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice as set out in LCRM – Land contamination risk management and BS10175:2011 Investigation of potentially contaminated sites - code of practice; or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

- a) A preliminary site investigation or desk top study documenting all the previous and existing land uses of the site and adjacent land and preliminary conceptual site model identifying all identified potential risks;
- b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the preliminary conceptual site model as presented in the desk top study;
- c) A remedial strategy detailing the measures to be undertaken to remove or avoid risk from contaminants and/or soil gas identified when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

Where a potential for contamination to be present has been identified a site assessment is required to quantify risks to the developer during construction and to future occupants. It is important this is undertaken prior to development commencing to enable appropriate remedial solutions to be incorporated into the final design stage of the development (such as the need for contamination removal or treatment, design and installation of gas protection measures, the use / re-use of materials on site or the need for cover systems and to ensure protection to workers and the general public during the development.

- 8 Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person nominated in the approved remedial

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strategy shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the approved remedial strategy has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

- 9 Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

- 10 Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. These should include details of the package treatment plant and a Management and Maintenance Plan. The approved details shall be fully implemented before occupation of the development hereby permitted.

Reason: To ensure satisfactory provision of foul and surface water drainage.

- 11 The development shall be carried out in accordance with the measures, conclusions and recommendations set out within Extended Phase 1 Ecological and Bat Roost Assessment Final Report, dated July 2023 and produced by Phillips Ecology. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To provide adequate mitigation and enhancement for protected species.

- 12 The development hereby permitted shall NOT BE OCCUPIED until:
- a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority
  - b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of

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the protected European Sites, having regard to the conservation objectives for those sites; and

- c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

**Informatives:**

1. In accordance with paragraph 38 of the NPPF (July 2018), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

In this instance a site meeting was carried out with the applicant.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Local Plan Part 1 - Joint Core Strategy: DS1, CP13, CP20, MTRA1, MTRA2, MTRA3, MTRA4

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM3, DM15, DM16, DM17, DM18, DM23, DM27, DM28, DM29, DM32

High Quality Places SPD

Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Parking Standards SPD

NPPF Section 16

3. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays.

Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or

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private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

6. Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub-contractors working on site and furnish them with a copy of the consent and approved drawings.