

**P/15/0267/FP**

MR STEVE AND JO HAMMOND

**TITCHFIELD**

AGENT: JACKSON PLANNING  
LTD

CHANGE OF USE LISTED BARN TO 5 BEDROOM DWELLING, FORMATION OF ACCESS AND GARDEN CURTILAGE, DEMOLITION OF SINGLE STOREY BUILDING, DEMOLITION OF THE TOILET BLOCK, DEMOLITION OF THE SINGLE STOREY FISHERMANS HUT AND REPLACEMENT WITH 3 BEDROOM DWELLING, FORMATION OF ACCESS AND GARDEN CURTILAGE FOR NEW DWELLING, FORMATION OF CAR PARKING FOR ANGLERS, ERECTION OF HERITAGE INTERPRETATION SIGN  
CARRON ROW FARM 15 SEGENSWORTH ROAD TITCHFIELD FAREHAM PO15 5DZ

***Report By***

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***Amendments***

Amended plans were received on 25/11/2015 revising the layout and elevations of the listed barn, a revised landscape scheme, revised layout and design of the new dwelling proposed to replace the fishermans hut, updated supporting statement and a Phase 2 Bat Assessment Report.

Further amended plans received 7/1/16 to address Historic England's comments revising fenestration to the first floor southern elevation of the barn and provision of a hedge to the car park adjacent to the fishponds.

***Introduction***

The application is presented to the Committee at the request of the Local Ward Member, Cllr Mrs Hockley.

***Site Description***

The application site is an almost rectangular parcel of land accessed from a long drive off the south side of Segensworth Road. The drive that accesses the site is a public right of way which continues south beyond the application site.

The site consists of a grade II listed barn on its western edge, adjacent to the footpath. To the north of the barn is a small toilet building for use by the fishermen, which sits adjacent to the boundary with the model railway site.

Due south of the barn the site is used informally for the parking of vehicles along with some unmaintained areas of landscaping. The parking area is generally used by fishermen who use the lakes to the south of the application site.

The site levels fall from the west to the east. Immediately to the east of the barn is a building used for dog grooming and dog day care. This building is unauthorised and does not benefit from a planning permission however this is accepted as immune from any enforcement action by virtue of the passage of time and specifically the passing of a four year period.

Along the eastern side boundary is a single storey, brick built with corrugated metal roof building used as a maintenance and equipment store by the fishermen using the lakes.

This building is referred to in the application as the "fishermans hut".

The application site is also within the Titchfield Abbey Conservation Area.

### ***Description of Proposal***

The application seeks full planning permission for the conversion of and change of use of the barn to a dwelling. The proposal also proposes the removal of the dog day care building and the landscaping of the land to the north and south of the barn to provide vehicle access, parking and garden areas. To the south of the barn the parking area for the lakes is revised and redesigned to pull the parking area away from the fishing lakes with new landscaping also proposed to help this part of the proposal integrate with the surroundings.

The application also proposes a new dwelling in lieu of the fishermans hut on the eastern side of the site. The dwelling would be served by the same access as the barn and is designed with an "L" shape footprint designed as a principally single storey building although one bedroom is proposed in the roofspace.

### ***Policies***

The following policies and guidance apply to this application:

The National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Titchfield Abbey Conservation Area Character Appraisal and Management Strategy

### **Approved Fareham Borough Core Strategy**

CS2 - Housing Provision

CS6 - The Development Strategy

CS11 - Development in Portchester, Stubbington and Hill Head

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

### **Development Sites and Policies**

DPS1 - Sustainable Development

DSP5 - Protecting and enhancing the historic environment

DSP6 - New residential development outside of the defined urban settlement boundaries

DSP15 - Recreational Disturbance on the Solent Special Protection Areas

### ***Relevant Planning History***

The following planning history is relevant:

FBC.5039/23 - Planning permission for barn conversion and adjacent buildings for B1 use - Permission 15/10/1991

FBC.5039/24 - Listed Building Consent for Barn conversion - Listed Building Consent 15/10/1991

P/96/0471/LB - Alteration and refurbishment of existing barns and adjoining buildings - renewal of FBC.5039/24 - Listed Building Consent 26/07/1996

P/96/0740/FR - Change of use of barn and adjacent buildings to b1c) - renewal of FBC.5039/23 - permission 26/07/1996

P/99/0682/LB - Restoration and alterations to barn including partial demolition (part alternative to P/96/0471/LB - Listed Building Consent granted 06/09/1999

P/99/0681/FP - Restoration and alterations to barn buildings and change of use to class B1 (part alternative to P/96/0470/FR) - Invalid 23/07/1999

Whilst this application is recorded as being invalid, it benefitted from a committee resolution to grant a planning permission subject to a s106 agreement. The agreement was never signed and the permission was not, therefore, issued.

### ***Representations***

Originally Submitted plans:

The Fareham Society:

- The principle of the barn conversion seems acceptable however the number of bedrooms sought seems to require too much subdivision
- Great care will be needed with external features and detailing
- The Society is not clear if the fishermans shed qualifies as a building of permanent and substantial construction as required by policy DSP7

No comments were received for the amended plans.

### ***Consultations***

INTERNAL CONSULTATIONS:

Highways: No objection.

Environmental Health - Contamination: No objection subject to condition

Conservation: No objection in principle to the barn conversion subject to conditions. The new dwelling is of appropriate design and separation such that no objection is raised

Ecology: No objection subject to conditions

EXTERNAL CONSULTATIONS:

Historic England: Suggest that a hedge be included on the south side of the car park and the first floor fenestration of the south elevation of the barn be design in a less domestic fashion.

### ***Planning Considerations - Key Issues***

The key planning considerations in the determination of this application are:

- The principle of the Barn Conversion
- The principle for the new dwelling in lieu of the Fishermans hut

- The impact on the Historic Environment
- Highways
- Solent Recreation Mitigation Strategy

#### THE PRINCIPLE OF THE BARN CONVERSION:

The application site is, for the purposes of planning policy, in the countryside and within a Strategic Gap.

Policy CS14 of the Local Plan Part 1 seeks to restrict new built development but is permissive of the conversion of existing buildings such as the listed barn on the application site. Local Plan Part 2 Policy DSP6 (ii) then sets out more detailed policy tests to facilitate such a conversion. DSP6 (ii) provides for the conversion of a non-residential building where:

- a) The building is of substantial construction and does not require major or complete reconstruction; and
- b) There is evidence to demonstrate that there are no other suitable alternative uses that the building could be put to and that the conversion would lead to an enhancement of the buildings immediate setting.

The Barn is a grade II listed building. It is a long standing building on the site and is clearly visible on the 1870 Ordnance Survey map. The barn has undergone a partial conversion to an employment use pursuant to the Listed Building Consent P/99/0682/LB. The works previously undertaken appear to have included repairs to the seventeenth century timber frame. It is understood that following the storm of October 1987 the current tiled roof was laid in order to make the building watertight. The building is currently vacant and has been for a number of years, however it is of substantial construction and capable of conversion without major or complete reconstruction. As such criterion a) of the policy is satisfied.

It is noted in the planning history that there was an application for a courtyard of buildings to the east of the barn. This application was for new buildings for commercial use as well as the conversion of the barn itself for an employment generating use. Whilst the Listed Building Consent was granted for this conversion (P/99/0682/LB refers) the associated planning permission (P/99/0681/FP) was never issued. The planning application progressed to a resolution from the Planning Committee to grant a permission for these buildings subject to the prior completion of a legal agreement. The applicant at the time did not sign the agreement and so the permission was never issued.

In terms of criterion b) the application includes details of a marketing exercise in 2000 carried out by Hughes Ellard confined to the barn itself and not the potential courtyard office development. This exercise at that time found no users or interested parties for the barn as an employment generating site.

Since the recession in 2008/09 there has been no further marketing undertaken by the applicant. The reason for this, the application submits, is because the conversion costs for a commercial use of the building is simply unviable such that there is little point marketing a scheme that is unachievable. The use that would provide the necessary return to complete the conversion of the barn, and as a result ensure the retention of and active re-use of a heritage asset, is a residential use.

The information in support of the application sets out that the estimate to complete the conversion of the 300 square metre barn would be in the range of £300,000- 450,000 with

an additional £100,000 for landscape works including the car park. This is an estimate of building costs based on current BCIS ranges and it therefore seems reasonable.

Hughes Ellard have advised the applicant that commercial rents are between £120-150/sqm giving a potential income between £36,000- 45,000 for the completed barn.

Given the large amount of commercial floorspace available in the area Hughes Ellard estimate that it would take possibly 6-12 months before a let can be secured. Given the competitive market and surfeit of floorspace to attract a tenant the current market expectation would be for between 6-12 months rent free period to secure a five year tenancy.

This means that over a period of a five year tenancy with the most optimistic budget the conversion cost will not be recovered, and possibly not until in excess of fifteen years post conversion would the building start to make any income for an investor, using the most optimistic BCIS costings.

Given that a return may only be available after year 15 it is not an attractive investment for any lender or bank when taking into account interest and lending costs. This would suggest that finance would not be available to support this project as a commercial use.

The property with a commercial permission would likely result in a negative value, and would be too high risk for a conversion for lenders and developers and it would result in leaving the historic building empty and without a positive future use.

In light of this submission from the applicant it is accepted that there are no viable alternative uses for the building other than a residential use.

The proposal also includes the removal of the three buildings described above; namely the fishermans hut, the dog day care building and the small toilet building. The removal of these buildings from within the setting of the Listed Barn and the proposed new garden and curtilage for the barn would be a clear enhancement to its immediate setting and as such the conversion of the barn to a residential use is acceptable and compliant with criterion b) of the policy.

Given that the proposed barn conversion provides for no additional building works and the building is a long standing fixture in the landscape it is not considered to be a form of development that would result in demonstrable harm to the integrity of the strategic gap by virtue of diminishing it physically or visually.

#### THE PRINCIPLE FOR THE NEW DWELLING IN LIEU OF THE FISHERMANS HUT:

The application proposes the removal of the fishermans hut and its replacement with a new four bedroom dwelling.

The Fareham and District Society have queried whether the fishermans hut is of substantial construction capable of conversion. This is not a conversion of the fishermans hut, but is a replacement building with a new use.

Policy CS14 restricts new residential development such as this within the countryside. The tests in policy DSP6 only provide for new dwellings in limited circumstances which include:  
- The demonstration of an essential need for a rural worker;

- It involves the conversion of an existing non-residential building (as discussed above for the barn conversion); and
- It provides for infill opportunities.

The applicant submits that the adopted development plan policies allow for limited appropriate sustainable development outside of the defined urban settlement boundaries. The applicant's case, relies on the Local Plan Inspectors conclusions in his Report that "Although it is important to conserve and enhance the natural environment, there may be opportunities for sustainable development in locations outside the defined settlement boundaries". The applicant's case suggests therefore that this provides a mechanism for the provision of a dwelling in replacement of the fishermans hut on the application site.

Officers disagree with this conclusion. It is considered that the applicant has been selective with the extent of the Inspectors Report being used to justify a new dwelling in the countryside. The Inspectors Report actually continues "...In order to clarify the Council's approach [to allowing sustainable development outside of settlement boundaries] it is recommended that an additional criteria be added to policy DSP7 [now DSP6] which establishes that in certain circumstances the appropriate infilling of an existing and continuous built-up residential frontage outside a settlement boundary may be justified" (para 22, page 8 of the Local Plan Inspectors Report).

It is clear therefore that the Inspector did not provide a mechanism for new residential development in the countryside in the manner suggested by the replacement of the fishermans hut with a dwelling, but in fact the infill criteria was added to the Local Plan Part 2 as a main modification.

The application does not make any enabling development case for the barn conversion being dependant on the proposed new dwelling. However, the application proposes that the scheme will provide for the removal of three buildings - the dog day care building, the fishermans hut and the toilet building - all in close proximity to the barn and that their loss should be taken as an improvement to the setting of the listed building and as part of the wider conservation package of improvements to the immediate site. These three buildings are to be replaced by just one; the new dwelling on the site of the fisherman hut. This one building is, according to the application, 16.5sqm larger in building footprint than the three to be removed.

There is no doubt that the removal of these three buildings will enhance the setting of the listed barn, especially the removal of the dog day care building which is very close to the main barn. The siting and the design of the proposed dwelling in the context of the setting of the barn and the wider historic environment will be assessed later in this report, however the removal of these three buildings alone are not considered to justify the erection of a new dwelling in the countryside.

In terms of other material considerations; it is noted that on the land at Drove Lea Farm to the immediate east / north east of the application site two appeals were dismissed in May 2002 and November 2011 (P/01/0201/CU & P/11/0169/FP refer respectively) for new built development in the countryside and Conservation Area; although the proposals were for a non-residential building. The Inspector in 2011 noted that there are distant views of the site from the public Bridleway to the east of the site and that these views are important. The current application site is also visible from this path such that the views of the site are also considered important. The Inspector in the first appeal found that "The Meon Valley remains an attractive, relatively unspoilt rural area". The Inspector did acknowledge that the area

was under pressure from development and he noted a "...variety of uses typical of the urban fringe including garden centres, commercial uses such as those on Drove Lea Farm, the model engineering society [to the north of the current application site], the keeping of horses and associated stables [of which there is some to the northwest of the application site in land edged blue]" on his site visit. However his conclusion was that the pressure for development in the area means that "...it is important that strict control is maintained over new buildings". Even if it is considered that the proposed building would be well screened the Inspector found that "...the fact that a building is not prominent is not itself a good reason to grant permission since such an argument can be repeated too easily".

The Inspectors conclusions on the character of the area are clearly still relevant for the application site.

The applicant puts significant weight on the planning history and the fact that the Local Planning Authority had a resolution from the Planning Committee for a courtyard development of buildings to the east of the barn in the location of the proposed new dwelling, P/99/0681/FP refers.

Whilst the resolution from the Committee to grant a permission for a courtyard office development is noted, there is no actual planning permission due to the applicant at that time not signing a s106 agreement. Whilst the history is a material consideration, in the absence of a planning permission actually being granted, it is not considered appropriate to afford it as much weight as the applicant suggests.

Notwithstanding this, the proposed office use development in the courtyard form, it appears, was found acceptable in order to facilitate the removal of a skip storage use from the site. It transpires that the applicant at the time was reluctant to sign up to such an agreement hence no permission was issued. It appears, therefore, that the office/courtyard resolution was in order to enable the tidying up of the site and for the preservation of the barn. The harm was clearly balanced against the gain of the site being more tidy. The site is now far more tidy than at that time and the barn is not a building at risk.

It is considered that for the current application there are no identified material considerations that are to be afforded such significant weight that they override the policies of the development plan. Whilst the barn conversion is acceptable and the removal of the three unsympathetic buildings from the site are to be encouraged, they do not amount to the necessary justification for a new dwelling in the countryside as a departure from the development plan policies. The proposed new dwelling therefore conflicts with the requirements of policies CS14 and DSP6.

Whilst there is a clear conflict with the policies that apply pursuant to the principle for the development; the additional 16sqm of building footprint from the new dwelling, essentially on the site of the fishermans hut, is however, not considered to comprise the integrity of the strategic gap either physically or visually such that a reason for refusal could be substantiated on the gap impact.

#### THE IMPACT UPON THE HISTORIC ENVIRONMENT:

The barn is grade II listed and even with the partially complete internal works, it has retained its open character and the original timber frame has been sensitively repaired. Retaining the openness of its interior and the legibility of its timber frame is important to retaining its character. The amended plans received in November 2015 reduce the amount of

mezzanine flooring back to that previously found acceptable in the listed building consent P/99/0682/LB. The internal character of the barn is now considered to be retained to an acceptable degree with the barn open from floor to roof through the two cart entrances and the first bay to the north of the entrance; so two full bays. The extent of mezzanine flooring and partition walling will also allow for further views to the roof over a further bay to the north and the two bays to the south of the cart entrance; resulting in the visible roof and space across five of the six bays in the barn.

There are some alterations to the building undertaken that do not benefit from listed building consent. Notably some of the windows and the eastern wagon entrance has been extended further than was previously approved. This application, however, is an opportunity to regularise and resolve these matters. The existing machine made tiles on the building detract from its historic character, their replacement with a more appropriate alternative would be a great improvement and this element of the proposal is supported.

The removal of the dog day care building would be a significant improvement to the buildings setting and the provision of a garden around the barn with a native hedgerow to define the boundaries is considered appropriate.

The site lies within the Titchfield Abbey Conservation Area and the evidence in the Titchfield Abbey Conservation Area Character Appraisal is relevant. The rural character of the Meon Valley is identified as important as is its vulnerability to change. This reflects the findings of the Inspectors quoted above. The proposed new house and garden close to the barn has been amended to provide a lower scale building and is now of a design that is less domestic in height, scale and architecture. It would be read as an outbuilding to the barn from distance and its siting is at an acceptable distance from the barn such that the conservation harm is considered to be limited.

In the distant views of the site from the footpath network due east of the site, the proposed dwelling would be on lower ground to the barn and the barn would be better revealed through its conversion, re-roofing and as a result of the removal of the dog day care building. The applicant submits that the additional 16sq.m of building footprint would not result in demonstrable harm to the character and appearance of the Conservation Area or the setting of the listed building.

The statutory test for development that affects the setting of a Listed Building (Section 66 of the Planning (Listed Building & Conservation Areas Act 1990)) or within a Conservation Area (Section 72 of the same Act) is that the proposal must have special regard to the desirability of preserving the building or its setting and to preserve or enhance the character of the Conservation Area. In this case there is agreement that the proposal will be to the benefit of the listed building setting thus preserving the setting of the listed building and the proposal is considered to preserve the character and appearance of the conservation area.

To the south of the barn is an informal area of car parking and beyond this are a set of fishponds which are part of the Titchfield Abbey Scheduled Monument (SM). Historic England provides advice on matters relating to SMs.

Investigations in the 1980s showed that the Titchfield Abbey fishponds were built in the 13th century and continue to be used today. The current use of the land between the ponds and the barn, which includes casual parking and dumped piles of earth, detracts from the rural character of the setting of the SM.



Revisions to the proposed layout have been made to ensure that the proposed parking area south of the barn, right on the edge of the SM, will not have a harmful impact through the provision of additional landscaping, most specifically a hedge to the southern boundary between the parking and the northern edge of the ponds. It is also noted that the car park layout results in a reduction in its size with the effect that the parking area is moved away from the northern edge of the fishponds. Additionally the proposal provides for the provision of an information/interpretation board at the entrance to the lakes with some detail of their history and link to the Abbey.

The south elevation of the barn has also been reviewed to ensure that the fenestration does not appear too domestic and is of agricultural appearance to ensure that the connection between the ponds and a former agricultural building is retained. Historic England conclude that the new dwelling on the site of the fishermans hut will have a neutral impact upon the setting of the scheduled monument and defer to the Council's Conservation Advice to establish its acceptability in terms of the Conservation Area and the setting of the listed building.

As well as the benefits to the Listed building through the removal of the three buildings already discussed, the applicant submits that the redesign of the car park to the south of the barn, the changes to the barn fenestration and the re-roofing of the barn with a more appropriate roof tile should be taken in the round when balancing the heritage benefit against the provision of a new dwelling in the countryside.

It is noted that Historic England do not see that the proposed new house is harmful to the SM however the application makes no case, like it doesn't for the barn conversion, that the new dwelling on the site of the fishermans hut is needed to enable car park and landscape works to be undertaken. There is no clearly defined conservation deficit evidenced to justify, even when taken in the round, a new dwelling in the countryside.

#### HIGHWAYS:

As the proposals include the closure of the dog grooming/day care facility, thus removing from the site a significant amount of daily traffic, there is no highway objection to the proposed creation of two dwellings in this complex of buildings.

#### SOLENT RECREATION MITIGATION STRATEGY:

The Borough of Fareham benefits from a stretch of coastline that has been internationally recognised as Special Protection Areas (SPA's). The European Habitats and Birds Directives protect rare species and habitats. The Directives have been transposed into UK law through the Habitats Regulations. Under these Regulations, the borough council must assess whether or not a proposed development is likely to have a significant effect on an SPA.

An assessment is required by the Local Planning Authority to determine whether the proposal is likely to have a significant effect on a European site. If necessary, avoidance or mitigation measures could be included to remove the harm which otherwise would have occurred. It is also necessary to look at the proposal in combination with other developments in the local area.

Policy CS4 (Green Infrastructure, Biodiversity and Geological Conservation) of the Core Strategy sets out that the habitats of importance to the borough, including SPA's will be

protected. The policy also proposes that Fareham Borough Council will work with other authorities in the PUSH area to develop and implement a strategy to protect European Sites from recreational pressure. CS4 sets out that developments likely to have an individual or cumulative adverse impact will not be permitted unless the necessary mitigation measures have been secured. Local Plan Part 2 Policy DSP15 also seeks to secure mitigation for developments that would have in-combination effects on the SPA's.

As the SRMS study suggests, recreational disturbance on the SPA will require mitigation so to avoid adverse impacts on these features. The content of policy CS4 is considered an appropriate way for the LPA to address the requirements under the Regulations.

The applicant has provided the necessary financial contribution towards the Solent Recreation Mitigation Strategy interim strategy, such that the proposed development is considered to mitigate its impact and would, in combination with other developments, not increase the recreational pressure and habitat disturbance to the Solent Coastal Protection Areas.

## SUMMARY

The proposed conversion of the barn to a residential use is considered to be an acceptable re-use of the building with there being no other acceptable alternative uses for the building. The proposed re-design and landscaping of the car parking area to the south of the barn is also considered to be acceptable without demonstrable harm to the SM. It is considered that the proposal will preserve the character and appearance of the Conservation Area and the setting of the Listed Building and Scheduled Monument and thus the relevant statutory conservation tests are considered to have been met.

However, the proposed dwelling in replacement of the fishermans hut, whilst an acceptable design, represents a new dwelling in the countryside for which there is no overriding need demonstrated. The overall heritage benefit of the proposals is noted - the improved setting of the SM and the removal of the three buildings around the barn - however these components, when taken in the round, do not provide the required justification for a new dwelling in an area of restraint and the applicant, it appears, has mis-read the findings of the Local Plan Inspector when considering sustainable development outside of settlement boundaries. There are no other identified material considerations that outweigh the provisions of the development plan and as such the proposal is recommended for refusal.

### ***Recommendation***

REFUSE for the reasons:

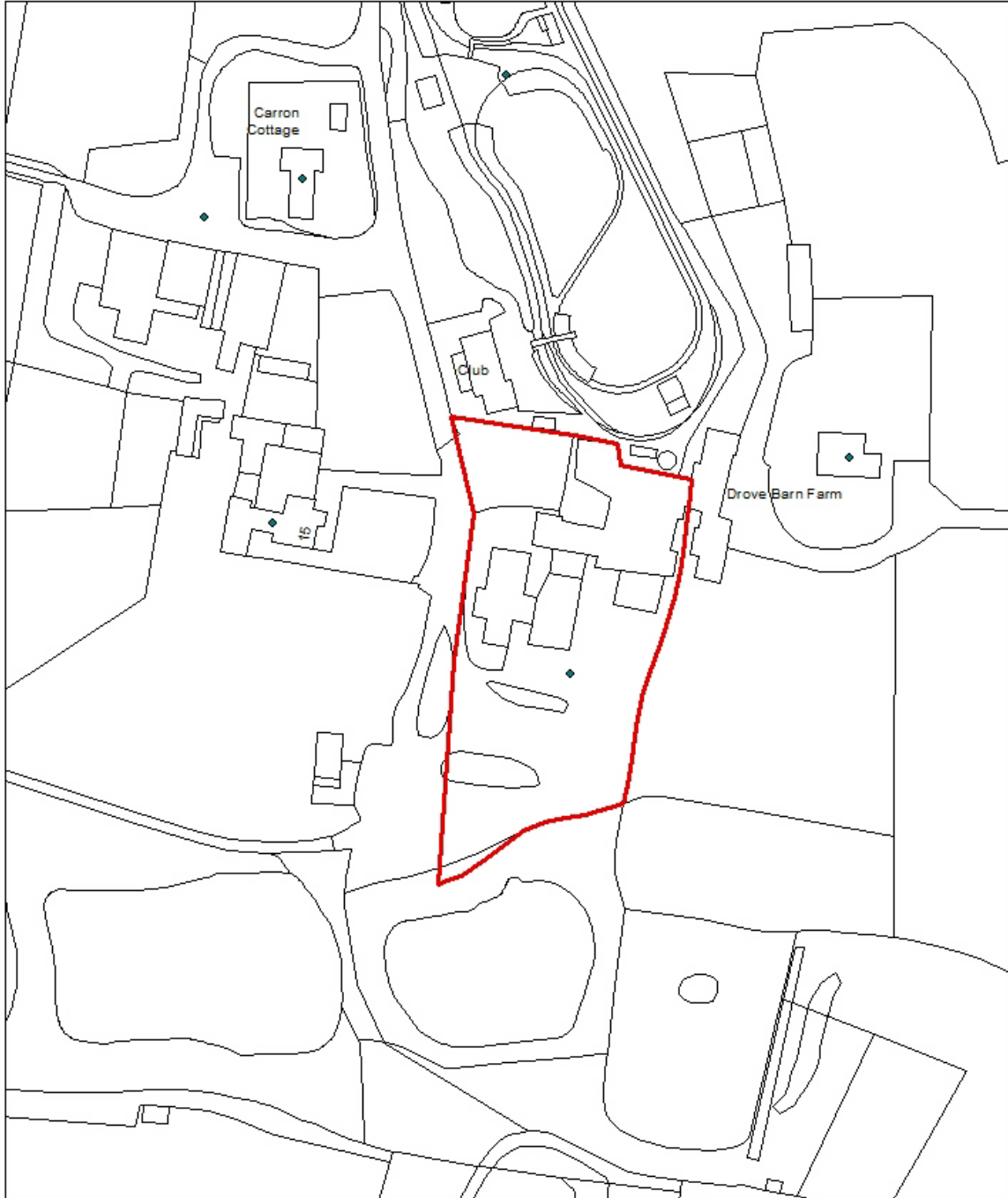
1) The proposed replacement of the fishermans hut with a new dwelling would be contrary to Policies CS14 of the Fareham Borough Core Strategy (Local Plan Part 1) and DSP6 of the Fareham Borough Development Sites and Policies Plan (Local Plan Part 2). The proposal will result in an undesirable addition of a new dwelling in the countryside for which there is no overriding need demonstrated.

### ***Background Papers***

see "Relevant Planning History" section above

# FAREHAM

## BOROUGH COUNCIL



Carron Row Farm  
15 Segensworth Road  
SCALE: 1:1,250

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