

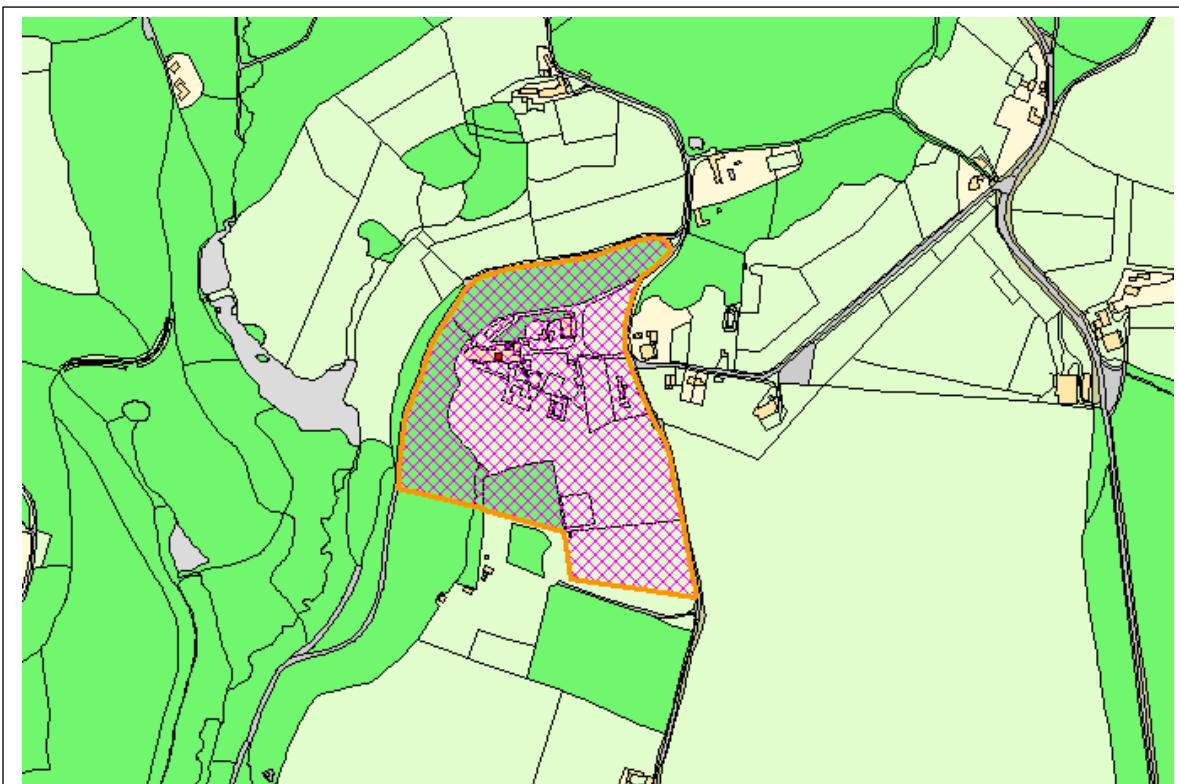
Report to	Planning Committee
Date	12 September 2024
By	Director of Planning (Interim)
Local Authority	Chichester District Council
Application Number(s)	SDNP/23/02187/FUL and SDNP/23/02188/LIS
Applicant	Mr Alessandro Butini, BSS Real Estate
Application(s)	Full planning application for change of use, extension and alterations to facilitate conversion of former school building, Wisper's (Class F1.a) and ancillary outbuildings to residential use (Class C3) to provide ten dwellings. Re-use of former school grounds to provide nine newbuild dwellings and extension of two existing cottages with landscaping enhancements, re-instatement of former access and parking provision. Demolition of existing dilapidated school buildings and refurbishment of swimming pool and construction of pool house. Listed Building Consent for extension and alterations to facilitate the conversion of Wispers building to residential dwellings. Demolition works to facilitate the replacement of ancillary buildings, comprising the Laundry House, Coach House and Potting Shed with residential dwellings. Extensions and alterations to two existing cottages.
Address	St Cuthmans School, Tote Lane, Stedham, Midhurst, West Sussex, GU29 0QL

Recommendation:

- 1) **That Planning Permission (SDNP/23/02187/FUL) be granted subject to the conditions set out in Paragraph 9.5 and a Section 106 legal agreement, the final form of which is delegated to the Director of Planning to secure:**
- **Early delivery of the conversion of the Main Building, alterations to the Cottages and landscaping works / enhancements to the wider garden / grounds;**
 - **A 'Transport Bond' to cover the costs of installing passing bays on the private drive (between Tote Lane and Linch Road) should agreement be reached with 3rd party owners;**
 - **Securing the 'water neutrality measures' including restricting the use of the proposed swimming pool and associated pool house;**

- The provision of a **Community Liaison Group and Estate Management Company**;
 - **Estate Management Plan** (to include the maintenance and management of communal spaces, drainage, lighting and landscape and ecological management measures), and
 - The provision of a residents and tenants information pack (to include information about ecological mitigation measures on-site and responsibilities associated with those mitigation measures and highlighting transport / access issues).
- 2) That authority be delegated to the **Director of Planning** to refuse the planning application (**SDNP/23/02187/FUL**) with appropriate reasons if the legal agreement is not completed or sufficient progress has not been made within **6 months** of the **Planning Committee** meeting of **12 September 2024**.
 - 3) That **Listed Building Consent (SDNP/23/02188/LIS)** be granted subject to the conditions set out in **Paragraph 9.6**.

Site Location Plan



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Executive Summary

This planning application, and associated Listed Building Consent application, seeks permission for 19 new dwellings albeit there would be a total of 21 dwellings on site as two existing Cottages will remain. The whole proposal consists of:

- The conversion of a vacant Grade II Listed Building (known as St Cuthman's or Wispers) into ten residential units;
- An extension to one of the two existing Cottages (curtilage listed buildings) to match an extension that already exists on the other; and internal alterations to both Cottages to facilitate 'open-plan' living on the ground floor and enlarged bathrooms on the first floor;
- The construction of nine new dwellings within the grounds of the site. These works include the demolition of the existing 'Laundry House', 'Coach House' and 'Potting Shed' (curtilage listed buildings);
- Car parking for 58 vehicles;
- The refurbishment of an existing swimming pool and construction of a replacement pool house;
- The refurbishment of the existing MUGA (multi-use games area) into two tennis courts; and
- Landscaping works to the wider site, including the existing Walled Garden and the construction of a folly. These works also include the demolition of the late 20th Century classrooms and ancillary buildings associated with the education use of the site. The wider site grounds are also considered to be a non-designated heritage asset.

The key consideration for the planning application is whether this proposal for 'enabling development' (in relation to the historic environment) and its associated impacts which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweighs the disbenefits of departing from those planning policies.

The scheme is considered to meet the requirements of enabling development (including advice from an independent external adviser). The benefit of securing the future of the Grade II Listed Building (currently vacant and showing early signs of disrepair), the associated Cottages and wider landscaped grounds (a non-designated heritage asset), on balance, outweighs the conflicts with planning policies in relation to:

- new buildings to be used as dwellings proposed outside the settlement boundary;
- the reliance on the private car as the main form of transport for the majority of trips to and from the site and associated tranquillity impacts;
- no provision for affordable housing, and
- the proposed housing mix.

Following a thorough assessment, the proposal would cause less than substantial harm to heritage assets and that less than substantial harm is outweighed by the public benefits of securing an on-going and long-term use of those heritage assets. Therefore, the planning application is recommended for approval.

The key considerations for the Listed Building Consent are the effect of the proposed works on the Listed Buildings and their setting, and whether their significance will be preserved and enhanced.

The proposed physical works to the Grade II Listed Building to create the ten dwellings and the works to the existing Cottages are acceptable as they will preserve and enhance the special historic and architectural interest of the Listed Buildings and their setting. The demolition of the other curtilage listed buildings (to be replaced with new development) is also acceptable.

Therefore, the Listed Building Consent is recommended for approval.

The applications are placed before committee due to the specific issue it raises regarding enabling development and the level of public interest.

I. Site Description

- I.1 The site shown outlined in red on the above plan (and on the Proposed Site Plan in Appendix 2), is approximately 2.5km north of Stedham, on Tote Hill. It is in a remote location which is reflected in the landscape character of the area. It is in an elevated position on the greensand hills on the south-east edge of the Milland Basin and the dip slope of the Rother Valley.
- I.2 The site is accessed via Tote Lane which runs north from Stedham to Redford. The site is on the western side of the lane and the current access is opposite Tote Hill Farm House (a 'Parish Heritage Asset'). Tote Lane is a narrow sunken lane with steep earth banks on either side where there are limited places for opposing traffic to pass. The site can also be accessed via a shared private drive immediately east of the entrance which leads from Linch Road approximately 500m away.
- I.3 The Main Building (a former 'country house') as originally constructed had its main access further north of the current access on Tote Lane, where Tote Lane stops as an adopted highway and becomes a private road (and Bridleway) as it heads north towards Redford. This access remains, albeit with the passage of time, the access driveway (leading from the access to the Main Building) has become overgrown with trees and other vegetation.
- I.4 The site covers approximately 8 hectares which is enclosed by a belt of trees along the north and west site boundaries. The eastern boundary is defined by mature hedging interspersed with trees along Tote Lane. The southern boundary is also defined by mature trees and hedging which separate it from the 'Stedham Campsite' further south. With some sections of the site also being part of an Ancient Woodland and some individual trees being defined as 'veteran' trees.
- I.5 There is a public right of way (footpath) along the southern site boundary, another (bridleway) which runs through the woodland adjacent to the western site boundary. The shared private drive between Tote Lane and Linch Road, is also a public right of way (footpath).
- I.6 Given its location and boundary treatments, the site is relatively secluded. However, there are some open and glimpsed views into the site from public vantage points along Tote Lane and the footpath to the south. There are also more long-distance views of the site from the south.
- I.7 There are a variety of buildings and structures within the northern part of the site which vary in quality, condition, age and status. The Main Building (known as St Cuthman's or Wispers) was built in the 1870s as a country house and is Grade II Listed. The original country house was designed by Richard Norman Shaw (known as Norman Shaw). It has also been subject to extensions and alterations, most notably a large extension in the 1930s (by the then owner the Duchess of Bedford) before it became a school in 1939. It was also occupied by the Canadian army during the Second World War.
- I.8 The Main Building is elevated above parkland terraced below it to the south and has a steep wooded drop to the north. Within its curtilage are:
 - a group of late 1960s derelict school buildings;
 - an outdoor swimming pool and associated buildings;
 - a small brick laundry building (referred to as the Laundry House);
 - a pair of Cottages (which pre-date the Main Building);

- the Coach House – a 1930's replacement of the original Norman Shaw Stable. It is a two-storey garage / workshop with stone and brick elevations on the ground floor and clad with pea-shingle on the upper floor. It has a hipped tiled roof with 4 large brick chimneys. It also has a large, glazed, metal framed canopy on its frontage. It is located east of the Main Building and faces away from it towards an embanked grass area (referred to within this application as the 'Paddock'), where it is also on a lower ground level to Tote Lane;
 - a Potting Shed – a 1930's single storey pitched roof building used as a workshop / storage. It is located to the east of the Walled Garden, and a small timber 'bothy', and
 - a Walled Garden – part of the 1930s development of the site.
- 1.9 The wider grounds to the south include a large playing field and hard surfaced 'multi-use' sports pitches which are accessed from a tarmac parking area and path in between the swimming pool and Walled Garden.
- 1.10 The Cottages, Laundry House, Coach House and Potting Shed are curtilage listed because they lie within the curtilage of the Main Building, are functionally related to it and predate 1 July 1948.
- 1.11 The wider site grounds / former landscaped gardens are also considered to be a non-designated heritage asset.
- 1.12 In 1957 the site became a special needs school for predominantly boarding students which was known as St Cuthman's School, until its closure in 2004. The site was vacant before being occupied by the Durand Academy in 2010 (again used as a boarding school for students from the London Borough of Lambeth). The Durand Academy left the site in approximately 2017 / 18 and the site (and its buildings) have largely remained vacant since then albeit there has been some occupation of the existing Cottages, on-site security and temporary uses of the grounds (such as for Police Dog Training).
- 1.13 In more recent years the site, and more specifically the Main Building, has been subject to trespass and vandalism.

2. Relevant Planning History

- 2.1 The site has had a number of applications over the years (with many pre-dating the existence of the National Park), the more recently determined substantial planning applications relate to the Durand Academy School, these are set out below:
- *SDNP/16/02217/FUL and SDNP/16/02218/LIS* - Erection of temporary teaching and boarding accommodation for an additional 48 students and 2 staff, temporary access track and demolition of The Coach House.
- Permission was refused on 11 November 2016, with the reasons for refusal being:
1. The proposed temporary boarding accommodation and classroom structures would have an unacceptable visual impact upon the surrounding landscape character by virtue of their siting, scale and appearance. Therefore, the proposals would not accord with saved policies RE1 and BE11 of the Chichester District Local Plan 1999, the National Planning Policy Framework 2012, the South Downs Partnership Management Plan and the First Purpose of a National Park.
 2. The temporary boarding accommodation would have an unacceptable impact upon the setting of adjacent listed buildings by virtue of its siting, scale and appearance which would be in the absence of clear and convincing justification and public benefits for the proposals. Therefore, the proposals would not accord with saved policies BE4 and BE11 of the Chichester District Local Plan 1999, the National Planning Policy Framework 2012, the South Downs Partnership Management Plan and the First Purpose of a National Park.

3. It has not been satisfactorily demonstrated that there is sufficient justification for the proposed development, in the absence of definitive proposals for permanently accommodating additional students on site. Therefore, the proposals would not accord with the National Planning Policy Framework 2012, the South Downs Partnership Management Plan and the First Purpose of a National Park.
 4. It has not been satisfactorily demonstrated that there is clear and convincing justification for the loss of the Coach House and that the substantial harm caused by its loss is outweighed by substantial public benefits. Therefore, the proposals would not accord with saved policy BE4 of the Chichester District Local Plan 1999, the National Planning Policy Framework 2012, the South Downs Partnership Management Plan and the First Purpose of a National Park.
- *SDNP/24/02682/APNDEM* – Demolition of old classroom buildings. Prior approval not required, 29 July 2024.
- 2.2 The current applicant / owner has also engaged in pre-application discussions. These discussions started in late 2020 with Officers advising on the heritage, landscape, design, highways and other potential impacts on an original proposal for a total of 43 dwellings. This work also included the appointment of an independent external adviser (to advise the SDNPA) with regards to the ‘enabling development’ issue. The scheme evolved during these discussions and resulted in the submission of these applications in 2023. Discussions have continued during the determination of these applications resulting in further amendments (including a further reduction in the total number of dwellings proposed), please see Section 3 – Proposal for the full details of the applications now before Members for consideration.

3. Proposal

SDNP/23/02187/FUL (Planning Application)

- 3.1 Following amendments, the application is now seeking permission for 19 new dwellings (10 dwellings within the converted Main Building and 9 new build dwellings) with associated development, parking and landscaping works (the application as originally submitted was for 24 new dwellings). The total number of dwellings on site would be 21, as this includes the two existing Cottages which will remain. The detailed proposal includes:
- the renovation and conversion of the Grade II Listed Main Building into ten residential units (a mixture of flats and townhouses, ranging from 1-bed to 6-bed) – referred to as Units A1-A10 as shown on the Plan in Appendix 2. These works also include some extensions at ground floor to sub-divide the existing internal courtyard area into individual private amenity space for some of the proposed units.
 - an extension to one of the two existing (2-bed) Cottages to match an extension that already exists on the other Cottage; and internal alterations to both Cottages to facilitate ‘open-plan’ living on the ground floor and enlarge bathrooms on the first floor – referred to as Units B2-B3 as shown on the Plan in Appendix 2;
 - the construction of nine new dwellings within the grounds of the site, consisting of:
 - one 4-bed house located on the site of the ‘Laundry House’ (following its demolition) between the Main Building and the existing Cottages – referred to as Unit B1 as shown on the Plan in Appendix 2;
 - two 5-bed houses on the site of the ‘Coach House’ (following its demolition) – referred to as Units B4-B5 as shown on the Plan in Appendix 2;
 - four houses (one x 4-bed, one x 5-bed and two x 6-bed) located on the former ‘Paddock’ area of the site between the current Coach House and the site’s boundary with Tote Lane – referred to as Units C1-C4 as shown on the Plan in Appendix 2, and

- two houses (one x 4-bed and one x 6-bed) on the site of the ‘Potting Shed’ (following its demolition) between the existing Walled Garden and the site’s boundary with Tote Lane – referred to as Units D1-D2 as shown on the Plan in Appendix 2.
- The refurbishment of an existing swimming pool and construction of a replacement pool house. The pool house will provide facilitates for a lounge, changing areas / showers and additional ‘home working’ space for all residents of the site;
- The refurbishment of the existing MUGA (multi-use games area) into two tennis courts, and
- Landscaping works to the wider site, including the reinstatement of key views (for which the original house and gardens were designed), restoration works of the existing Walled Garden, the revival of the ornamental garden (including new planting), additional woodland planting and areas of new wildlife meadow planting.

The landscaping proposals include coppicing works (mainly to the Ancient Woodland area to the east) and the felling of trees (mainly associated with the reinstatement of the original driveway and the removal of some non-native species).

This work also includes the demolition of the late 20th Century classrooms (albeit it has been established that prior approval is not required for the demolition of these buildings – see SDNP/24/02682/APNDEM) and ancillary buildings associated with the education use of the site, the construction of a folly within the landscaped grounds and the relocation of an existing ‘bothy’ into the Walled Garden.

- 3.2 The proposed housing mix is set out in the table below. The total number of bedrooms includes where the submitted plans show rooms labelled as studies or guest rooms with dimensions that allow for a single bed.

Proposed housing mix	1 bed unit	2 bed unit*	3 bed unit	4 bed unit	5 bed unit	6 bed unit
Flats	1	2	1			
Houses		4		4	4	5
Total	1	6	1	4	4	5

*includes existing Cottages

- 3.3 No affordable housing is proposed due to the enabling development argument being put forward.
- 3.4 The proposed accesses to the site would be from the existing access off Tote Lane at its junction with the private drive to Linch Road / adjacent to Tote Hill Farmhouse and the reinstatement of the original access driveway further north where Tote Lane becomes a private access road (heading north towards Redford).
- 3.5 The scheme also includes car parking for 58 vehicles, within a mixture of car barns / ports, parking adjacent to individual properties or within communal parking areas around the Main Building. There is also individual and communal cycle storage.
- 3.6 In terms of sustainable construction, the proposal seeks an average target of just over 21% improvement on energy efficiency (relative to the 19% emissions reduction requirements of Policy SD48) and through the use of air source heat pumps for the new houses is seeking to reduce overall emissions by just over 20% (relative to the requirement of Policy SD48 to demonstrate how the development is addresses climate change through the on-site use of

zero and / or low carbon technologies). Total water consumption targets are no more than 100.81 litres per person per day.

- 3.7 As a scheme for ‘enabling development’ the applicant would also have to enter into a Section 106 legal agreement to ensure the early delivery of the restoration of the Main Building, works to Cottages and the proposed works to the landscaped grounds.

SDNP/23/02188/LIS (Listed Building Consent)

- 3.8 The application for Listed Building Consent relates to the physical works (including demolition and extensions) to the Main Building or curtilage listed buildings (the Cottages) to create the new or improved dwellings and the demolition of some of the curtilage listed buildings (namely the Laundry House, Coach House and Potting Shed).

- 3.9 As already set out above, this application has also been subject to several amendments, including the removal of five proposed dwellings and further amendments to Unit DI (the replacement to the ‘Potting Shed’). These amendments are reflected in the description of development / the proposed scheme set out above and are also referred to within the Planning Assessment section of this report.

4. Consultations

- 4.1 The consultee responses below provide a summary of the latest comments received (i.e. they include any subsequent comments received following the submission of amended plans and information).

- 4.2 **Active Travel England** – No comment, based on the information available, they are content with the development proposed.

- 4.3 **Archaeology** – No Objection, the relatively limited archaeological potential, when measured against the relatively limited extent of the impact, does not merit the burden of imposing an archaeological condition.

- 4.4 **Conservation Officer** – No objection. Overall conclusions are that the conversion of the Norman Shaw House is well considered (albeit the specific use of double glazed windows in the original Norman Shaw part of the Main Building is not acceptable); the amount of new development is the minimum required to secure its retention; and that, despite some reservations about the design of the new development, any perceived harm to the setting of the main heritage assets is not of such a degree that it would warrant refusal of the application.

Officer note: The Conservation Officers detailed comments on the specific elements of the proposal are incorporated within the Planning Assessment Section of this report.

- 4.5 **Council for British Archaeology** – No comments received at the time of writing the report.

- 4.6 **Dark Skies Adviser** – Holding Objection. The application should include a lighting plan, and this should be part of the overall design (instead of being required by condition) to enable a full assessment of the impact on dark skies. This is due to the potential harm from external lighting particularly in shared areas (including the pool area and tennis court) and access routes. While all lighting can still be appropriate and compliant it is important to ensure that external luminaires are domestic in nature and follow the South Downs Technical Advice Note on Dark Skies.

Officer note: The applicant has provided a lighting plan and an ecological mitigation plan (which includes restrictions on lighting). This is addressed at paragraph 7.61 of this report.

- 4.7 **Design Officer** – Support. Overall, the development proposal has some attractive attributes and has evolved significantly in a positive direction. The relatively simple form, fenestration and material palette of the proposed buildings are generally supported. In addition, there are generally good sustainable construction credentials (albeit further

information is required on the energy efficiency targets for the individual dwellings and EV charging points).

The outstanding concerns relate to the challenge of integrating the car parking. There is a car dominated central space for the Paddock and a similarly car dominated space around the side entrance of the Main Building and associated houses.

- 4.8 **Ecology** – No Objection. In summary, whilst there have been some improvements and further updating survey work has been carried out, there are still outstanding matters in relation to ecology. Ideally these matters should be resolved prior to determination. However, given the size of the site and areas which will remain undeveloped, the nature of the proposals and the design principles in relation to ecology (based on the submitted Landscape and Ecology Design and Management Strategy), they are confident that the application site is capable of achieving the required mitigation, compensation, enhancement and management, to comply with national legislation and local policy. Therefore, the detailed information could be secured via pre-commencement conditions.
- 4.9 **Environment Agency** – No comments received at the time of writing this report.
- 4.10 **Environmental Health (CDC)** – No Objection subject to conditions related to contaminated land, noise restrictions in relation to any air source heat pumps or external plant, air quality mitigation measures and a construction environmental management plan (including a condition restricting the hours of construction work).
- 4.11 **Forestry Commission** – Comment - as a Non-Ministerial Government Department, they do not provide an opinion supporting or objecting to planning applications. They advise that the planning authority should consider policy and guidance in relation to Ancient Woodlands, ancient trees and veteran trees (which are irreplaceable habitats); retaining existing and incorporating new trees into the proposal and biodiversity net gain.
- 4.12 **Historic England** – Comment - for both the planning application and Listed Building Consent application, based on the information available, in their view they do not need to be notified or consulted on these applications. They advise to follow the relevant statutory provisions.
- 4.13 **Landscape Officer** – Neutral and subject to conditions.
- The scheme has been founded on a comprehensive baseline of landscape evidence. Using this knowledge, the principle of the developable areas has been agreed – ensuring they are within the least sensitive parts of this designed landscape. The detailed design has been improved and it is hoped this will continue through to the final details.
- There are still some matters of concern:
- Impacts to existing trees (their root protection areas and potential development within them), and impacts on ancient and veteran trees (in particular T8 the veteran Yew), and
 - Access to the site for vehicles, should any physical changes to Tote Lane or the access to Linch Road (east) be required to make the development acceptable, (such as passing places) this change would likely lead to an objection on landscape grounds.
- 4.14 **Lead Local Flood Authority (WSCC)** – No Objection subject to a number of conditions.
- 4.15 **Local Highway Authority (WSCC)** – No Objection.
- The Local Highway Authority (LHA) have confirmed they have reviewed the application submissions (inc. additional information from the applicant) and emails / supporting material (inc. reports) from neighbours / third parties in assessing the application. In summary:
- Acknowledge that the site is in a rural location; therefore, the majority of trips are likely to be car based;

- Does not consider that the proposal would have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network and therefore is not contrary to the NPPF;
- A Construction Traffic Management plan can be secured via a condition to provide a safe means of access during construction phase;
- The applicant has demonstrated adequate visibility splays along both sides of Linch Road, in accordance with the recorded speeds during 7-day speed survey.
- There are no accidents reported in the last five years at the junction of the private drive with Linch Road or at the site access junction with Tote Lane. This indicates that both junctions are operating in a safe manner in their current form with no concerns associated with road geometry / layout.
- The Stage I Road Safety Audit (RSA) advised of provision of adequate passing places. The applicant can do very little about this issue as the private drive is not within their control. Tote Lane is very narrow and lacks regular passing places but some passing places do exist and the access is used for previous land uses and other properties in the vicinity, and
- Swept path diagrams carried out for a refuse vehicle, fire tender, delivery vehicle and standard car demonstrate manoeuvrability at all access points.

4.16 **Natural England** – No objection.

4.17 **Public Rights of Way (WSCC)** – No objection. The application does not impact upon, or propose any alteration, to the Public Right of Way.

4.18 **Southern Water** – Comment - investigations indicate that they can facilitate a water supply to service the proposed development (subject to the usual formal connection application to Southern Water by the developer).

4.19 **Stedham with Iping Parish Council** – Objection and support the findings of the ‘Friends of Wispers’ commissioned reports (in relation to Heritage, Transport and Planning).

Whilst the Parish Council recognise that some development will have to take place to prevent the existing buildings continuing to deteriorate, the applicant has not demonstrated the scale of the proposed development is necessary nor have they shown that the assumed benefits outweigh the disbenefits.

In summary:

- The proposal conflicts with Policies SD19 and SD25 as access to services and other facilities is about 3.5 miles away in Midhurst. There is no ready access to public transport such that the new residents will be dependent on their cars;
- The increase in traffic through the middle of the village (and through Tote Lane and the private drive) will have a significantly detrimental effect and will put stress on the access roads and threaten the safe use of these lanes by pedestrians, horse-riders and cyclists. The proposal is contrary to Policies SINDP2- Preserving Rural Character, SINDP6 Unallocated Residential Development, SINDPI I Tranquillity and SINDPI 5 Sunken Lanes & Retaining Walls of the Stedham with Iping Neighbourhood Plan;
- They disagree with the Local Highway Authority’s conclusions as the traffic data submitted by the applicant appears to understate the trip forecasts for the new development and overstate the trips for the former school;
- The issue of water supply needs to be re-examined and threatens the use of Stedham Campsite (a valuable asset to the community), and
- The proposal will have a detrimental impact on the National Park’s Dark Skies.

- 4.20 **The Woodlands Trust** - Objects to the proposed redevelopment scheme on account of potential detrimental impact and damage to ancient woodland and veteran trees (namely T8 – Yew and T139 – Beech) within the site boundary.

Revisions to the proposals should occur to ensure that T8 and T139 will not be subject to any works within the root protection area.

With respect to The Leith ancient woodland, while the Woodland Trust supports the sensitive management of ancient woodland (including coppicing practices), the proposed management should be for the purposes of biodiversity and therefore we hold concerns regarding the coppicing of the woodland for the purposes of maintaining site views of the adjacent listed building.

Furthermore, they note the re-instatement of the path within ancient woodland, and adjacent to T139. They would encourage the applicants to re-locate the footpath outside of the ancient woodland area and ensure that both the woodland and T139 will not be subject to increased health and safety inspections as this will increase the likelihood of required woodland tree safety management.

- 4.21 **Tree Officer** – No Objection subject to clarification and conditions.

The proposed hard surface works in the Northern and Eastern area do encroach into the Root Protection Areas of trees within the designated Ancient and Semi Natural Woodland, particularly T9, T10, T11, T126, T128.

The Design and Access Statement outlines the use of Tar and Chip on a soil subbase. The amount of vehicular traffic proposed to use this is unclear. If the volume of traffic is frequent, then cellular web may be required to mitigate root compaction. Phase 3 site indicates that levels will not be lowered, nor will any root severance occur and there is no indication that cellular web material is required. Vehicular use needs to be clarified to ensure appropriate mitigation.

T8 Yew – this is a veteran specimen and should be afforded a 19.5 m buffer zone where possible. The works could be undertaken under direct Arboricultural Supervision and section 2.11 of the submitted Arboricultural Method Statement adhered to.

T109 Western Red Cedar - agree with the submitted Arboricultural Impact Assessment that as a hard standing already exists, impacts to the rooting area are unlikely.

T139 Beech – this is a veteran specimen. Work to install manholes for drainage should ideally be relocated outside of the Ancient and Semi Natural Woodland boundary. If this is not possible then section 2.11 and 2.12 of the submitted Arboricultural Method Statement must be adhered to and undertaken under direct Arboricultural Supervision.

The proposal in the Design and Access Statement to reinstate the woodland footpath suggests that gravel is to be used for the surface material. The submitted Arboricultural Method Statement suggests the use of cellular textile membrane with a woodchip surface material. This is the most suitable method to mitigate root compaction. Alternatively, the footpath could be relocated outside of the woodland.

Tree removals - All trees scheduled for removal are non-native and or are of low visual importance, therefore raise no objection.

Tree Pruning - Tree pruning required for access is minor in nature but should be undertaken under direct Arboricultural Supervision.

- 4.22 **West Sussex Fire and Rescue Service** – No Objection subject to conditions.

- 4.23 **Victorian Society** – Objection - as submitted the proposals would not enhance or conserve the significance of the heritage asset. They have outlined some elements, set out below, that could balance the harm and enhance the significance of the heritage asset.

The proposed residential development represents a more acceptable scale of development (as opposed to the previous / historic proposals for the school expansion) however, the new buildings would be an imposition on the setting of Shaw's original house.

They accept the principle of subdivision of the main house to create multiple dwellings. However, they stress it is important that these are detailed carefully to preserve historic fabric and the character of significant interiors.

They do not support the installation of double-glazed units. In addition, they comment that the loss of the original leaded lights has harmed the significance of the building, and their reinstatement would represent a significant heritage benefit for the proposal.

Likewise, it is noted that the existing black stained finish of the timbering and white finish to the rendered infill is not original and detracts from the significance of the building. A historic photograph of the building before the 1930's extension shows the timber work not so heavily stained and the rendered infill a richer and softer hue. With historic paint analysis it could be possible to ascertain the original finishes on the exterior and restoration of these would represent a significant heritage benefit.

5. Representations

5.1 For the planning application as originally submitted, there have been 161 objections (151 on a range of issues and 10 specifically about the potential impacts to Stedham Campsite). For the Listed Building Consent, there have been 2 objections.

5.2 Following the publication of the amendments to the scheme (and at the time of writing this report), there have been a further 91 objections to the planning application and 1 objection to the Listed Building Consent. The comments received are not necessarily all 'new' comments, it is a mixture of new and those who have submitted additional or revised comments (including information submitted by consultants on behalf of the Friends of Wispers) or have just confirmed that their original comments apply to the amendments.

5.3 A summary of the comments received, including those from individuals who have made multiple representations and organisations (such as the Friends of Wispers, Woolbeding with Redford Parish Council, Milland Parish Council, the National Trust, Sussex Gardens Trust, the Walled Kitchen Garden Network and Friends of South Downs) are set out below.

5.4 Objections to the Planning Application

Principle / Enabling Development

- Conflicts with Local Plan Policies SD1, SD4, SD5, SD7 and SD39 and National Planning Policy Framework (Section 12);
- Proposal is for major development with no justification;
- Not taken the Neighbourhood Plan into consideration;
- Inappropriate location for new development;
- Enabling development is not justified, reports exaggerate values / costs and fails to follow the guidance correctly;
- Revised conservation deficit is unsubstantiated and there are flaws in calculations;
- Site should be converted back to single-family home;
- Some re-use / conversion of Main House may be acceptable but additional dwellings within the grounds / across the site are not acceptable;
- Unacceptable impacts to the National Park's special qualities and landscape character, and
- Proposal does not conserve or enhance.

Design (including heritage impacts)

- Urbanising the rural landscape / character of the area;
- Height, scale, massing of proposed new buildings is too much / inappropriate;
- Scheme is overdevelopment with unacceptable impacts to setting of Listed Building;
- Unacceptable impacts on setting of neighbouring Listed Buildings (such as Woolhouse Farm);
- Unacceptable impacts to Conservation Area;
- Unacceptable impacts to a non-designated heritage asset (the designed landscaped gardens, including the Walled Garden);
- Unacceptable loss of curtilage listed buildings, including the Potting Shed (due to its relationship with the Walled Garden);
- Any new buildings should be within the footprint of the existing / demolished buildings only;
- Relocation of 'bothy' would be out of context and reduce its significance (due to its relationship with the Walled Garden);
- The Walled Garden should be returned to production;
- Design of the new buildings fails to reinforce local distinctiveness nor do they respect the local character;
- Design of 'Potting Shed' is too high and too close to boundary with Tote Lane,
- Design amendments to the 'Potting Shed' are minimal and the proposed development still has a visual impact;
- Design of 'Paddock' is suburban.

Affordable Housing

- Proposal is for expensive, non-affordable properties;
- No provision for affordable housing therefore does not comply with Policy requirement of 50%;
- Viability report is inaccurate;
- Properties will be attractive to buy-to-let investors / second homeowners – not affordable for local people.

Transport / Access / Parking

- Rural, remote location unsuitable for scale of development – conflicts with Policies SD19 and SD20;
- Access to site is via narrow, single lanes with limited passing places, medieval bridges, ancient sunken lanes or private tracks with no passing places;
- Increased traffic will have unacceptable impacts to local road network and to the amenity of local residents;
- There are no opportunities for sustainable travel methods, including the lack of public transport – all new residents will be car dependent;
- There are no pavements or street lighting;
- Construction traffic will have unacceptable impacts;

- Re-opening original access is unsafe;
- Proposal to use the private road (between the site and Linch Road) is unacceptable and will have unacceptable impacts on the amenity of immediate neighbours;
- Insufficient parking proposed;
- Transport Assessment is out of date and uses flawed data (TRICS and comparison data used), underplays the impacts on local road network and over plays possible active travel methods, and
- Over reliance on the 'fall-back' position of the use of the site as a School.

Impact to Stedham Campsite

- Proposal will have an unacceptable impact to the water supply to the Campsite (as the water supply comes from the St Cuthmans / Wispers site);
- Will have a negative impact on the viability of the campsite;
- Unacceptable impacts to tranquillity / peacefulness, dark skies and natural beauty of site;
- Unacceptable impacts on views to and from the Campsite, and
- Unacceptable impacts on quality of outdoor experiences and nature-based activities that the campsite offers (including campfires) as new residents are likely to complain.

Flooding / Drainage

- Proposal will lead to an increase in flooding and surface water flooding on nearby roads;
- Properties lower than the site will be at greater risk of flooding due to water run off etc;
- There is no capacity in nearby watercourse to take any additional run-off without causing flooding elsewhere, and
- There is no location for the proposed Foul Water Treatment Plant.

Ecology / Biodiversity

- Unacceptable impacts on ecology / habitats / wildlife;
- Unacceptable felling of Ancient Woodland and Semi-natural woodland;
- Insufficient detail and certainty that the proposed works to the garden / landscaped areas will be undertaken and
- Ecological survey work is lacking detail.

Sustainability

- The proposal is not sustainable, there are no proposed solar panels or heat pumps.

Infrastructure Impacts

- There is insufficient water supply and proposal will impact water supply to neighbouring properties and especially the Campsite;
- Proposal would put unacceptable pressure on local schools and doctors;
- Proposal would put unacceptable pressure on and / or there is insufficient capacity in relation to drainage, sewage and other utilities.

Pollution

- The proposal will lead to increased pollution, and
- Risks of pollutants entering nearby stream.

Other

- Inconsistencies and errors in application documents or data used is incorrect or out of date;
- Insufficient marketing of the site;
- Consultee responses are flawed, for example the Local Highway Authority (WSCC) 'fall back' position that the site could be used as a school is not justified and they have not scrutinised the applicant's reports in sufficient detail;
- There is no guarantee that the works to the gardens will be carried out;
- There is no benefit to local community, and
- There has been no engagement with local community.

5.5 Objections to the Listed Building Consent

- The 'best use' in conservation terms is to use the main house as a single-family house since this would preserve the relatively unaltered main residential original layout and is probably the single most important heritage asset worth preserving;
- Work to the main house is more damaging in heritage terms and does not reflect the original Norman Shaw designed house;
- The proposal would diminish the ability of visitors to the area to appreciate the significance of the heritage asset and its setting;
- The proposal would have unacceptable impacts on setting of the Listed Building, and
- The demolition of the Potting Shed.

6. Planning Policy

6.1 Most relevant sections of National Planning Policy Framework:

- Section 2 - Achieving sustainable development
- Section 5 – Delivering a sufficient supply of homes
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed and beautiful places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

6.2 Most relevant policies of adopted South Downs Local Plan (2014-2033) (a longer list of other relevant policies can be found in Appendix I)

- SD3: Major Development
- SD4: Landscape Character
- SD5: Design
- SD6: Safeguarding Views
- SD7: Relative Tranquillity
- SD11: Trees, Woodland and Hedgerows

- SD12: Historic Environment
- SD13: Listed Buildings
- SD19: Transport and Accessibility
- SD20: Walking, Cycling and Equestrian Routes
- SD22: Parking Provision
- SD25: Development Strategy
- SD28: Affordable Homes

6.3 Most relevant policies of made Stedham with Iping Neighbourhood Plan (2018-2033) (a longer list of other relevant policies can be found in Appendix I)

- Policy SINDP1 – Stedham Settlement Boundary
- Policy SINDP3 – Recreational and Community Facilities
- Policy SINDP6 – Unallocated residential development
- Policy SINDP10 – Wildlife in the wider Parish
- Policy SINDP11 – Tranquillity
- Policy SINDP12 – Landscape and Views
- Policy SINDP13 – Parish Heritage Assets
- Policy SINDP15 – Sunken Lanes & Retaining Walls
- Policy SINDP16 – Permissive and Public Rights of Way
- Policy SINDP17 – Car Parking

6.4 Other relevant policy documents (including SPDs and TANs)

- Design Guide SPD
- Parking for Residential and Non-Residential Development SPD
- Sustainable Construction SPD
- Biodiversity Net Gain TAN
- Habitats Regulations Assessments (HRAs) TAN
- Dark Skies TAN

6.5 Relevant policies of the South Downs Management Plan (2020-2025)

- Policies 1, 3, 9, 10, 25, 29, 31, 39, 40, 50 and 57.

7. Planning Assessment

Principle of Development / Major Development

- 7.1 The site is within Stedham, a general area identified as a settlement within the South Downs Local Plan (SDLP). However, the Stedham with Iping Neighbourhood Plan (Neighbourhood Plan) provides the detailed settlement boundary, and this site is outside of the defined settlement. Policy SD25 of the SDLP provides for 'exceptional circumstances' where development outside of the defined settlement will be permitted.
- 7.2 Policy SINDP6 of the Neighbourhood Plan states that 'residential development outside the settlement boundary, other than that appropriate to the countryside, will not be supported'. Therefore, there is a general presumption against residential development unless it is appropriate to the countryside.

- 7.3 This proposal involves heritage assets (both designated and non-designated) and a provision of ‘enabling development’ in the form of new build residential units within the grounds of the site (including replacement buildings where there are currently curtilage listed buildings), which could conflict with Policy SD25 of the SDLP and Policy SINDP6 of the Neighbourhood Plan. The argument being put forward in this application is that the scale of the proposal (i.e. the total number of dwellings proposed) is the minimum amount required to cover the ‘conservation deficit’. Therefore, compliance with Policy SD12 of the SDLP provides the ‘exceptional circumstances’.
- 7.4 National Planning Policy Framework (NPPF) states ‘local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies’.
- 7.5 In addition, Policy SD12 of the SDLP states that ‘Development proposals for enabling development that would otherwise conflict with other planning policies but which would secure the future conservation of a heritage asset will be permitted provided:
- a) The proposals will not materially harm the heritage values of the asset or its setting;
 - b) It can be demonstrated that alternative solutions have failed;
 - c) The proposed development is the minimum necessary to protect the significance of the heritage asset’.
- 7.6 Further consideration of the issue of ‘enabling development’ is set out in the following sections.
- 7.7 A substantial amount of information, in the form of plans and reports, has been submitted in support of these applications. Comments (including from consultants on behalf of the Friends of Wispers) have been made about the quality of the information submitted and in some cases the lack of sufficient information to enable the South Downs National Park Authority to make a decision.
- 7.8 Within the context of the overall quantity of information as submitted, the level of analysis and rationale for some of the works could be argued as relatively modest in parts. Despite this, it is considered that sufficient detail has been provided to aid making a judgment of the potential impacts, and in particular the heritage and landscape impacts, of the proposal.
- 7.9 As also set out in the NPPF, whether a proposal is ‘Major Development’ (in the context of Paragraph 183 and footnote 64 of the NPPF) is a matter for the decision maker. The scale and design of this proposal, given the site and its context, would not result in the proposal having a significant adverse impact on the purposes for which the area was designated. Therefore, this proposal is not deemed to be major development for the purposes of the NPPF and Policy SD3 of the Local Plan.

Enabling Development / Impact to Heritage Assets

- 7.10 The submitted ‘conservation deficit’ information has been independently assessed by an expert appointed by the SDNPA, their findings have been incorporated into the following paragraphs.
- 7.11 The conservation deficit is the gross development value minus gross development costs plus current market value. Establishing a conservation deficit requires consideration of what the optimum viable use is, whether it involves a conservation deficit and, if so, how it might be minimised. In this situation ‘optimum’ does not necessarily mean ‘best’ financially, for example it should also consider factors such as the impact on the heritage asset.
- 7.12 If there is a conservation deficit, without financial options other than enabling development to cover it, then an assessment of what the optimal scale and form of enabling development is undertaken.

- 7.13 Given the site's history, original purpose (as a large country house), and following the open marketing of the site (over a reasonable period of time by a reputable company with both national and international marketing experience) when the only interested purchasers were residential developers, it is accepted that the most likely optimum viable use for the site is residential. This use is also likely to be best from a financial perspective.
- 7.14 It is accepted that a 'single-family' residential use could result in less harm to the heritage asset, although it has to be acknowledged that generally substantial country houses require a significant investment for their maintenance. In this case, the Main Building does require substantial investment to bring it back into a habitable condition.
- 7.15 In assessing this application, weight has been given to the fact that the applicant was successful in purchasing the site after a sufficient marketing period, and the applicant acquired the site for its heritage features. Whilst representations from third parties appear to indicate that there may be alternative purchasers that would keep the asset as a single-family use, this is purely anecdotal and therefore can be afforded limited weight.
- 7.16 Through lengthy discussions both pre and post submission of the applications exploring options and amendments to the proposal, Officers are now satisfied that the process and proposal has followed Historic England's 2020 guidance (Enabling Development and Heritage Assets - Historic Environment Good Practice Advice in Planning Note 4) and the information provided is acceptable and proportionate to enable a decision to be made.
- 7.17 In addition, the proposed sub-division of the Main Building into 10 residential units is reasonable and is an optimal approach. The costs associated with this sub-division and amending the two existing Cottages and restoring the designed landscaped grounds, would result in a conservation deficit of approximately £3.18 million (this excludes the site purchase price).
- 7.18 For the 'enabling development' element, again this has evolved during discussions both pre and post submissions of the applications. For example, the application as originally submitted sought permission to retain and convert more of the curtilage listed buildings (including the Coach House and Potting Shed). However, following further interrogation of the costings it was established that the costs associated with converting these buildings was adding to the conservation deficit rather than reducing it. Therefore, the scheme was amended to demolish these buildings to be replaced with new buildings.
- 7.19 The enabling development is estimated to contribute £3.05 million towards the conservation deficit. In summary, the total scheme shows a deficit of about £130,000 if the site purchase price is not considered. The total developer profit for the entire scheme is estimated by the modelling to be approximately £5.3 million. The developer would make a profit of approximately £2.8 million after removing the site purchase price. This is approximately 11% of the estimated gross development value (GDV) and would be less than the 15%-20% of GDV that is the normal benchmark for any viability assessment work (as referred to in the 'Standardised inputs to viability assessments' set out in the National Planning Practice Guidance – paragraph 018 Reference ID:10-018-20190509). Whilst it is acknowledged that this is not an inconsiderable amount of money, it is recognised that there is significant risk attached to the project. Therefore, following detailed investigation and independent, expert advice, Officers are satisfied that overall, the amount of enabling development is reasonable and represents the minimum amount of new development required.
- 7.20 When it comes to 'heritage assets' (both designated and non-designated), special regard must be paid to the desirability of preserving the Listed Building or the setting of Listed Buildings or any features of special architectural or historic interest which it possesses (Sections 16 and 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990). In addition, the NPPF refers to assessing the significance of the heritage asset including development affecting its setting and taking into account the effect of development on the significance of any non-designated heritage assets.

- 7.21 The NPPF provides a definition of setting, which states *‘the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral’.*
- 7.22 Historic England guidance explains that whilst views will play an important part in setting, it is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by an understanding of the historic relationships between places.
- 7.23 Therefore, the assessment must look at whether the proposed development would lead to substantial harm to the heritage assets and its setting. Where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.24 The heritage context for this proposal can be summarised as:
- Impact on the Listed Building and associated curtilage listed buildings;
 - Impact on the setting of those buildings, noting that the setting of those buildings is also a non-designed heritage asset (the designed landscaped grounds);
 - Impact on the non-designated Heritage Assets (the designed landscaped grounds within the site and Parish Heritage Assets, namely Tote Hill Farmhouse and Barn).
- 7.25 Whilst some letters of objection refer to unacceptable impacts to the Conservation Area, this site is not within, or adjacent to, a designated Conservation Area.

Impact on the Listed Building and associated curtilage listed buildings

- 7.26 The Norman Shaw element of the Grade II Listed Building is the single most important heritage asset on the site. As set out previously, the Main Building has undergone significant changes over the years, most notably in the 1930s (with the construction of the large extension) and changes associated with the school / education use. The more recent changes to the Main Building, which includes unauthorised internal works undertaken by the Durand Academy, have had a detrimental impact to the historic fabric and features, and significance, of the Listed Building.
- 7.27 The Main Building has also been subject to trespass and vandalism in more recent years. This is contributing to its deterioration and, again, having a detrimental effect on the features of special architectural or historic interest which it possesses.
- 7.28 Following amendments to the scheme (which has seen the sub-division of the Main Building reduced from 15 to 10 units), the recognition of the costs associated with bringing it back into a residential use for modern living, and the lack of interest from any purchaser to use the site as a ‘single family home’, Officers are satisfied that the proposal to convert the Main Building is an appropriate use of the building. Such a conversion would be compatible with its special architectural and historic interest and, in this case, has been well-considered to ensure any impacts to its significance (including internal features and integrity of rooms) is kept to a minimum. In addition, the removal of fire escapes / features installed during its use as a school, which currently detract from its character and special architectural / historic features, would be a significant benefit. Overall, this element of the proposal would result in less than substantial harm to the heritage asset. This less than substantial harm is significantly outweighed by the public benefit of restoring this heritage and cultural asset with an optimal viable use and providing it a more secure long-term future.
- 7.29 Whilst the Conservation Officer has expressed concerns about some detailed aspects of the proposal these can be addressed through suitably worded conditions on both the planning application and Listed Building Consent. However, there is one aspect, the use of double-

glazed windows in the original Norman Shaw element of the building, that the Conservation Officer and Victorian Society object to. The use of double-glazed window units in a Listed Building must be weighed against wider sustainability and energy efficient policies and the SDNPA's climate action plan. In addition, and as acknowledged by the applicant, there is scope for bespoke units to be installed. This is also supported by recently published Historic England guidance (HEAN 18 – Adapting Historic Buildings for Energy and Carbon Efficiency, July 2024) which sets out that slim-profile or vacuum double-glazing within historic frames will generally be acceptable. Therefore, subject to agreeing the final bespoke detailed design (which is important can be secured through conditions), this element of the proposal could be acceptable, and any harm caused by the use of such windows would be less than substantial and can be weighed against the public benefit of improved energy efficiency, bringing the building back into use and securing its long-term future.

- 7.30 With regards to the relatively minor works to the two existing Cottages (including an extension to one to match an extension already existing on the other), again these have been well-considered and would not detract from the character or significance of these curtilage listed buildings. The harm caused is considered to be at the lower end of less than substantial and can be weighed against the public benefit of bringing them back into use as modern family homes.
- 7.31 With regards to the demolition of the other curtilage listed buildings, namely the Laundry House, Coach House and Potting Shed. Whilst these have some modest heritage and cultural significance (as they relate to the evolution of the site and its previous owner, the Duchess of Bedford), they are not nearly as significant as the Main Building. In addition, both individually and collectively, they are considered to have limited architectural quality. Therefore, their demolition (to be replaced with new buildings) is considered acceptable, at the lower end of substantial harm and can be weighed against the public benefit of bringing the Main Building and landscaped grounds back into use and securing its long-term future.

Impact on the setting of those buildings

- 7.32 The most contentious part of this proposal, as highlighted in the 3rd party comments, is the 'new building dwellings' within the setting of the Main Building and the wider gardens / grounds. With four out of the nine new builds replacing existing curtilage listed buildings (namely the Laundry House, Coach House and Potting Shed).
- 7.33 The four 'replacement' buildings, are broadly within the same footprint and height of those buildings to be demolished, albeit it is acknowledged that the proposed buildings replacing the 'Laundry House' and 'Potting Shed' are larger than the existing buildings. With regards to the replacement 'Coach House', in terms of footprint and height of the proposed building, there would be no discernible difference between the proposed and the existing building. There would be no harmful impact on the setting of the Main Building or its designed grounds for this element.
- 7.34 Overall, due to the location within the site and intervening buildings and landscaped areas (particularly in relation to the replacement Coach House and Potting Shed), these four buildings will not compete visually with the prominence of the Main Building as they will be seen as 'subservient' domestic buildings. Therefore, the harm caused to the setting of the Main Building and grounds from this part of the proposal is at the lower end of less than substantial given this context.
- 7.35 With regards to the remaining six new builds. Five are located on the 'Paddock' area and one is proposed to be located south of the replacement 'Potting Shed' (to the east of the Walled Garden). These buildings will cause harm as they are in locations where there is currently no built form.
- 7.36 The current proposal for the 'Paddock' area has evolved through a number of iterations and has been founded on a comprehensive baseline of landscape evidence (which sets out the

existence of a complex of farm buildings in the north-east of the site during the early 19th Century). Using this knowledge and understanding of the site and its historic context, the principle of developing in this area is agreed. In addition, this has ensured that the new built form is within the least sensitive part of the designed gardens / grounds.

- 7.37 It has also been established that there is some historic and local context for the built form broadly following a 'farmstead' typology. Again, this is acceptable in historical and landscape character terms.
- 7.38 In conclusion, the proposed new builds are clustered to the north and north-east of the Main Building, on more discrete parts of the site, are not overly intrusive within the context of the site as a whole nor will they diminish the ability to appreciate the Main Building, the Cottages and the wider designed grounds. The harm caused would be less than substantial. Therefore, Officers consider that the harm caused can be outweighed by securing the long-term future of both the Main Building and gardens / grounds.
- 7.39 The issue of the proposed works to the designed gardens / grounds, which form part of the setting of the Listed Building, are addressed below.

Impact on the non-designated Heritage Assets (the designed landscaped grounds and Parish Heritage Assets)

- 7.40 As set out previously, the wider designed gardens / grounds of the site are considered to be a non-designated heritage asset. In addition, Policy SINDPI3 of the Neighbourhood Plan identifies the neighbouring Tote Hill Farmhouse and Barn as a 'Parish Heritage Asset'.
- 7.41 With regards to the proposed landscaping and planting works to the gardens / grounds (outside of the proposed built form), this has been well researched and is well-conceived. In addition, this proposal would re-instate a key view at the original entrance of the Main Building across the valley to the south-west (albeit the original key view cannot be fully reinstated due to the woodland growth during the intervening years) and, importantly, would remove unsightly and incongruous features (i.e. the 20th Century classroom structures).
- 7.42 Overall, the landscaping and planting proposal, would restore most of the grounds back to their former glory, is a significant benefit and would conserve and enhance this heritage asset and the setting of the Listed Building.
- 7.43 With regards to the reinstatement of the original driveway, it is acknowledged that planning permission is not required for this element and the works could be undertaken at any time. However, this element of the proposal is seen as a benefit in heritage terms. The driveway was originally designed to create a variety of visual experiences along the route with the first view of the Main Building revealed at the end. Reinstatement will enable appreciation of Norman Shaw's original ideas about how the entrance to the Main Building should be approached and shown. Albeit it is acknowledged that these works will result in some loss of trees and vegetation which have grown up in the intervening years. However, this is limited to a relatively small area of the site.
- 7.44 With regards to the impacts on the setting of the Parish Heritage Asset (Tote Hill Farmhouse and Barn), this largely relates to the proposed new built form. Within the site the 'Paddock' area will result in the greatest amount of change (i.e. new dwellings / buildings where there is currently none) and there are existing site level changes between the 'Paddock' and Tote Lane (the Paddock is on higher ground). In addition, the replacement to the 'Potting Shed' will be seen over the existing, and to be retained, hedgerow and trees.
- 7.45 However, given the distance between the proposed dwellings and Parish Heritage Asset, the orientation and form of the new dwellings (including a new single-storey car port nearest to the boundary with Tote Lane) and the intervening boundary treatment (including Tote Lane) the new built form is not visually intrusive. The harm caused would be at the lower end of less than substantial. Therefore, the harm caused can be outweighed by securing the long-

term future of both the Main Building and gardens / grounds. The impacts related to transport / access and tranquillity is addressed below.

Conclusion

- 7.46 There is conflict with Policies SD25 of the SDLP and Policy SINDP6 of the Neighbourhood Plan in relation to the location of new dwellings outside of any settlement boundary. However, the proposal is not on an ‘undeveloped’ site in the countryside. The site was originally designed and constructed as a large country house with associated buildings and specifically designed landscaped grounds. Therefore, the conversion of the Main Building, bringing it back into a residential use (its original use) and alterations to the Cottages to bring them up to a standard for modern living are appropriate and acceptable given the history and context of the site, and are not considered to conflict with these policies.
- 7.47 It is the creation of the additional dwellings through the new and replacement buildings clustered around the Main Building and Walled Garden which does conflict with these policies. However, as set out above, it has been demonstrated that the proposed development is the minimum necessary to secure the future conservation of the heritage assets.
- 7.48 In addition, the overall harm identified to the significance of all the heritage assets is ‘less than substantial’. Therefore, in accordance with the NPPF, the harm caused should be given great weight and weighed against the public benefits of the proposal.
- 7.49 In this case, the restoration and conversion of the Main Building, alterations to the retained Cottages and the reinstatement and enhancements to the designed gardens and grounds, ensuring their long-term future and the provision of new dwellings, are such important public benefits.
- 7.50 Therefore, the proposal accords with the requirements of the NPPF, Policies SD12 and SD13 of the SDLP and Policy SINDP13 of the Neighbourhood Plan. The conflict with Policy SD25 of the SDLP and Policy SINDP6 of the Neighbourhood Plan in terms of the location of new dwellings outside the settlement boundary is accepted and is, in this case, outweighed by securing the future conservation and use of the heritage assets.

Landscape-led Design

- 7.51 As set out previously, the proposal for the Main Building and existing Cottages are well-considered, are of an appropriate design and would accord with relevant policies in the SDLP.
- 7.52 As also set out previously, this proposal has been subject to significant discussions. This has ultimately resulted in a submission which has been well founded on a comprehensive baseline of landscape evidence and a landscape strategy focusing on the restoration of the designed gardens and grounds.
- 7.53 The ‘new build’ elements of the proposal (i.e. the nine dwellings) are supported as they are appropriately located within the least sensitive parts of the designed grounds and, in the case of four of the nine dwellings, are broadly within the location of existing buildings to be demolished. However, it is acknowledged that as a consequence of that, it has resulted in a ‘denser’ form of development to the north-east of the Main Building (to its boundary with Tote Lane) and clustered around the Walled Garden.
- 7.54 As also referred to in the section related to heritage assets, the Main Building and gardens / grounds were specifically designed to provide views across the valley and series of glimpsed views to and from the house (including from the original driveway). The proposal to re-instate some of these views is supported, albeit recognising the balance that has been sought between restoring some of those views and the ecological benefits of the years of tree and other vegetation growth which has occurred in the intervening years.

- 7.55 As supported by the submitted LVIA, and due to its largely self-contained nature, it is considered that the proposed development would not be visible from the majority of viewpoints within the wider area due to topography and the layers of vegetation between viewpoints and the site. The conclusions of the LVIA in relation to more local views is also supported, the site is already screened by existing vegetation around and just outside the site boundary (and the majority of the boundary vegetation within the site is proposed to be retained and supplemented) which obscures internal views of the site and such views, where possible, are glimpsed and in the case of some parts of the site (such as from Tote Lane and public footpaths) restricted to a small part.
- 7.56 Therefore, it is considered that the proposal (including further amendments made to the replacement to the ‘Potting Shed’ to reduce potential visual impacts) would not result in any adverse impacts to visual integrity, identity or scenic quality of the National Park.
- 7.57 In terms of the layout, siting and orientation of the proposed new dwellings within the site, it is acknowledged that the new buildings have a more ‘dense built form’ with no or little private amenity space (when compared to the overall size of the proposed dwellings). However, this is acceptable when balanced against the impacts to the setting of the Listed Building and non-designed heritage asset (the landscaped grounds / garden) and the substantial amount of space available to residents in the retained landscaped gardens / grounds. In addition, the design and layout of the new residential units has been well-thought out to reduce any overlooking and potential loss of privacy. However, it is considered necessary and appropriate to impose a condition removing permitted development rights to ensure the overall design integrity of the scheme remains and to prevent any potential loss of amenity issues.
- 7.58 Representations have been received about the architectural style of the proposed development. As highlighted in the comments from the Design Officer, all the proposed new buildings have relatively simple forms with detailing and proposed materials consistent with those found on the existing buildings and local area.
- 7.59 The more modern architectural style is considered acceptable not least given the self-enclosed and fairly unique character of the site and would be contextually appropriate, would not appear ‘out of place’ and would complement the landscape and historic character of the wider site.
- 7.60 Again as highlighted in the comments from the Design Officer, the successful integration of car parking has been a challenge. Whilst some parking is more discrete, such as ‘on plot’ for some of the dwellings, the scheme will have car dominated spaces particularly in the courtyard area of the ‘Paddock’ and to the east of the Main Building. This is unfortunate but must be weighed against reducing the impacts to the wider designed gardens / grounds and setting of the Main Building (particularly on the original driveway / main entrance to the Norman Shaw element of the building). Therefore, it is considered that, on balance, the proposed location and layout of the parking is acceptable. The appropriateness of the proposed level of car parking and access impacts (including associated impacts to tranquillity) are discussed further in this report.
- 7.61 In terms of Dark Night Skies, the proposal does include a basic lighting strategy and other mitigation measures to minimise any ecological impacts (with the final details to be secured through suitably worded conditions – as set out in the ecology and biodiversity section below). The scheme will not have a detrimental impact to the integrity of the intrinsic quality of the dark skies.

Conclusion

- 7.62 The proposal is supported in landscape-led design terms. It is considered that it will not have any adverse impacts on landscape character (including views, dark skies and general tranquillity) and will restore and enhance distinctive landscape qualities and historic

character which celebrates and creates buildings and spaces with local distinctiveness and a sense of place. It is also considered that the scheme will result in a high-quality development, in accordance with the relevant policies in the NPPF, Policies SD2, SD4, SD5, SD6, SD7, SD8, SD12, SD45 and SD46 of the SDLP, the Design Guide SPD and Policies SINDP11 and SINDP12 of the Neighbourhood Plan.

Transport / Highways (including parking)

- 7.63 The proposal will be served by the existing vehicular access from Tote Lane and there are no proposed changes to the main access route into the site. Albeit the proposal does include the re-opening of the original access to the Main Building, further along Tote Lane where it stops being the 'adopted highway' and becomes the private road (heading north towards Redford). As highlighted previously, there are also private rights of access over the private drive between Tote Lane and Linch Road.
- 7.64 Given the relatively remote location of the site, and as highlighted in the response from the Local Highway Authority (LHA) and 3rd party comments (including transport consultants representing the Friends of Wispers), the majority of trips associated with the proposed development will be car-based.
- 7.65 The site is within 5km of Stedham and Midhurst (which is a generally acceptable travel distance for cyclists to reach services and facilities, there are bus stops on Linch Road (accessed via the private drive) and there are nearby public footpaths / bridleways. However, as a rural location the services at the nearest bus stops are only twice a week (Wednesday and Saturdays) and only one service per day. Whilst there are nearby public footpaths / bridleways these do not necessarily provide 'direct' routes to nearby services and facilities. Therefore, this site is not necessarily a 'sustainable location' to encourage people out of their cars.
- 7.66 Furthermore, Tote Lane, the adopted highway linking the site to the village of Stedham is an historic, rural, sunken lane with no separate footway or street lighting. Again, unfortunately, this does not necessarily encourage people out of their cars.
- 7.67 Therefore, it is accepted that the proposed development has limited opportunities to minimise the need to travel and offer practical solutions to encourage people to use alternatives to the private car, contrary to Policy SD19 of the SDLP. Albeit the scheme does offer the ability to 'work from home' with studies provided in most of the new dwellings and office facilities within the 'Pool House'. In addition, the scheme is offering an on-site swimming pool and tennis courts, as well maintaining local PRowWs to help with health and well-being facilities potentially reducing the need to travel.
- 7.68 In assessing trip generation and its impact, the applicant has used standard industry practice to make those assessments, including the possible fall-back position as a school use and if the site was used by a 'single-family'. This approach is generally supported by the LHA who agree with the conclusions (including the existing road geometry and width restrictions of Tote Lane which aid reduced driving speeds) that from a road safety and highway capacity perspective the proposal would not have a severe impact on the local road network or cause any road safety issues.
- 7.69 It is considered that the applicant has used appropriate and proportionate methodologies to assess the trip generation and its potential impact given the site's historic use as a school and the potential fall-back position. Albeit the fall-back position as an 'open' school use has been given some but limited weight in this assessment. This is because the historic use of the site was as a 'boarding school', the more recent school use (Durand Academy) relied heavily on bus / coach transportation (limiting the use of private vehicles) and following the active marketing of the site, there were no education providers interested in acquiring the site.
- 7.70 However, it is accepted that even with most trips to and from the site being via private car, those vehicle movements would not have an unacceptable impact on highway safety nor

would the residual cumulative impacts on the local road network be severe, the threshold required by the NPPF.

- 7.71 The submitted Road Safety Audit highlighted the delivery of ‘passing bays’ on both Tote Lane and the private drive (between Tote Lane and Linch Road) to help mitigate any potential impacts. However, and as highlighted in the comments from both the LHA and the Landscape Officer, providing passing bays on Tote Lane (even if there was an engineering solution given the steep banks either side, which is considered unlikely), is not acceptable. This is because it is an historic sunken lane and altering this key landscape character feature would have a significant adverse impact that would also be contrary to Policy SD21 of the SDLP and Policy SINDPI5 of the Neighbourhood Plan. It is also noted that whilst Tote Lane is a lightly trafficked road, over the passage of time there are some existing ‘informal’ passing bays along this Lane.
- 7.72 With regards to the private drive (between Tote Lane and Linch Road), the applicant has offered to provide passing bays. The provisional location of those bays are acceptable in design and landscape terms and such works could be undertaken without having an urbanising impact on the landscape character of the area. However, the 3rd party landowner(s) has refused to give their consent to such works. Whilst it could be argued that this is not necessarily a ‘planning issue’ (as it is mainly a private legal matter between the various parties) it is a consideration as it goes some way to mitigate the potential impacts from the increase in vehicle movements to and from the site. Therefore, the recommendation is to secure a ‘Transport Bond’ via a Section 106 Legal Agreement with the money in that bond to be used to deliver the passing bays in the future should the 3rd party landowner change their mind and grant consent.
- 7.73 It is also considered that there is an element of ‘buyer beware’ when purchasing a property in a rural location within this part of the National Park, where sunken lanes (with limited passing places) are part of the landscape character. There will also be a reliance on the Estate Management Company to inform residents of the access / transport issues and an element of ‘self-policing’ to mitigate the potential impacts. Therefore, it is considered reasonable to secure via an obligation in the Section 106 Legal Agreement a ‘residents information pack’ highlighting the site access arrangements and where possible alternative sustainable transport options.
- 7.74 In accepting the majority of trips to and from the site will be car based, it is also accepted that these ‘coming and goings’ will have tranquillity impacts on the immediate neighbours (including the Parish Heritage Asset). However, these impacts are not considered so adverse so as to be able to sustain a reason for refusal on this particular issue.
- 7.75 It is also agreed that the proposed accesses (including the re-opening of the original access further north of Tote Lane) and internal turning facilities, including for refuse vehicles are suitable to accommodate all vehicles with the ability and sufficient room to access, manoeuvre and egress from the site in a forward gear.
- 7.76 The proposed level of 58 car parking spaces (53 allocated to the proposed residential units, 1 unallocated space and 4 visitor spaces) broadly accords with the Authority’s Parking SPD (which states the parking demand from the development would be approximately 60 spaces) and is reasonable for the scale of the proposed development when balanced against the impacts to the Heritage Asset(s) and wider landscape strategy for the gardens / grounds. Therefore, the proposal accords with Policy SD22 of the SDLP and Policy SINDPI7 of the Neighbourhood Plan. The issue of the landscape-led design impacts of the proposed car parking has already been addressed above.
- 7.77 The proposed cycle parking (1 cycle space per bedroom with extra spaces for the larger units and Sheffield parking for visitors) and Electric Vehicle Charging provision are acceptable and the final details can be secured through suitably worded conditions.

- 7.78 General maintenance of a local road network and in this case, including the private drive (between Tote Lane and Linch Road), is not a material planning consideration. In the case of the adopted highway (Tote Lane) it is the role of the LHA to ensure that the road surface is maintained to an appropriate standard. However, it is accepted that construction traffic would be seen as 'extraordinary', therefore it is considered reasonable and necessary to secure the agreement of a construction management plan to ensure any damage caused as a result of the construction of the development is made good.

Conclusion

- 7.79 In conclusion, it is considered that the proposed development will be acceptable in road safety terms and will not have a severe impact on highway or the road network and adequate provision has been made for parking, cycle parking and EV charging points in accordance with Policies SD20, SD21 and SD22 of the SDLP, the Authority's Parking SPD and the Design Guide SPD.
- 7.80 However, it is accepted that the proposal is contrary to Policy SD19 as most trips will be by private car and there are very limited opportunities for the applicant to promote and encourage alternative sustainable transport modes.
- 7.81 It is also accepted that there will be some impact on the amenity of adjacent neighbours, including the Parish Heritage Asset, due to the general increase in comings and goings associated with all the new residential units and that this could have tranquillity impacts which cannot be fully mitigated, contrary to Policy SD7 of the SDLP and Policies SINDPI I and SINDPI3 of the Neighbourhood Plan. However, and on balance, it is considered that these impacts and a proposal contrary to Policy SD19 of the SDLP is acceptable in order to secure the long-term future and conservation of this heritage asset(s).

Housing Mix and Affordable Housing

- 7.82 The proposed housing mix (size of units / bedrooms per unit) is as a result of seeking to address the 'conservation deficit' and the form of the proposed units (for example the appropriate subdivision of the Main Building). Therefore, there is a conflict with Policy SD27 of the SDLP as the proposal would result in a higher proportion of larger dwellings (3 bedrooms or more) than the preferred mix set out within the Policy.
- 7.83 Also as a result of addressing the conservation deficit, the scheme cannot support any affordable housing. This is, of course, usual for enabling development but in this respect the proposal conflicts with Policy SD28 of the SDLP.
- 7.84 However, for the reasons already set out above including the conservation deficit / viability issues having been reviewed by an independent advisor, the conflicts with these policies are, on balance, acceptable. The public benefits of ultimately securing the long-term use and improvements to a Grade II Listed Building and its substantial grounds, in this case, outweigh the conflicts with these specific Policies.

Impacts on amenities (both to neighbouring properties and within the scheme)

- 7.85 Given the site's relatively self-contained location and the context of its surroundings (including substantial landscaped areas / planting on its boundaries), there are generally no significant impacts in terms of overlooking, loss of privacy and general noise and disturbance on wider residential amenities, including Stedham Campsite, as a result of this proposal. The transport / highways impacts on residential amenity (inc. tranquillity) have already been addressed above.
- 7.86 It is acknowledged that the form of the proposed development could be perceived as more 'intense' due to the overall number of dwellings proposed in a relatively small area clustered around the Main Building and Cottages and this has the potential to impact on tranquillity. However, impacts to tranquillity from the potential total number of new residents on site is limited and arguably not any more detrimental than the use of the site for a school (the

existing use of the site which has not been abandoned in planning terms) or if the site was used as a large country / single-family home with some additional conversions / alterations to provide additional residential dwellings. This, together with the form of the proposed dwellings (i.e. the number of larger sized dwellings), is not so intense or significant to warrant a reason for refusal due to impacts on tranquillity.

- 7.87 The issue of residential amenity impacts due to the layout, siting and orientation of the proposed new dwellings within the site has already been addressed in the Landscape-Led Design section above, which includes reference to a condition to remove permitted development rights to ensure the overall design integrity of the scheme remains and to prevent any potential loss of amenity issues.
- 7.88 Therefore, with regards to amenity impacts, the proposal accords with Policies SD5 and SD7 of the SDLP and Policies SINDP6 and SINDPI I of the Neighbourhood Plan.

Ecology / Biodiversity

- 7.89 As set out previously, the scheme has focused on restoring the designed gardens and grounds as part of the overall enabling development argument and providing additional planting (and habitats) to complement and enhance the existing areas.
- 7.90 It is also acknowledged that in some instances there is a balance to be had between competing issues. Examples include tree and shrub clearance required to enable the reinstatement of the original driveway to the Main Building, the proposed coppicing to parts of the Ancient Woodland to partly re-instate some key views for which the original Main Building and gardens were designed for, and the proposed works to the Walled Garden.
- 7.91 Whilst this proposal is not required to meet the now mandatory ‘biodiversity net gain’ (BNG) requirements, a BNG metric was submitted with the application. That metric demonstrates an 8% increase in habitat units and a 20% increase in hedgerow units, providing a net gain in BNG in accordance with Policy SD9 of the SDLP.
- 7.92 Early discussions with the applicant also explored reinstating a working kitchen garden within the Walled Garden. However, following ecological surveys it was established that through the passage of time and lack of intensive use, the area had become a priority traditional orchard habitat with underlying grassland habitat. Therefore, it was identified that much of the existing habitat should be retained and changes were made to the application to reflect this.
- 7.93 The overall approach to the different ecological and biodiversity measures proposed across the site is welcomed and supported. Whilst there are some impacts, including the felling of some non-native trees and impacts to the Ancient Woodland and some Veteran trees (as highlighted in the consultee responses from the Landscape Officer, Ecological Adviser and Tree Consultant), these impacts can be mitigated and compensated through suitably worded conditions (such as agreeing to the final details associated with drainage) and obligations secured through a Section 106 legal agreement (including ensuring the works to garden / grounds are undertaken in a timely manner).
- 7.94 The Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations) places a duty on planning authorities when determining applications that may affect international sites to determine the potential for likely significant effects. Where proposals are likely (without mitigation) to have significant effects on international sites, the planning authority is required to undertake an appropriate assessment in order to ascertain that there would not be adverse impacts on the integrity of the international site, and whether the proposal demonstrates that impacts would be avoided or adequately mitigated against. Accordingly, Policy SD10 requires that development likely to result in a significant effect upon an international habitats site is subject to an Appropriate Assessment pursuant to the requirements of the Habitats Regulations.

- 7.95 In the case of this proposal, an Appropriate Assessment is required for two reasons the potential significant effects on:
- Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar, and
 - It is within 12km of the Ebernoe Common SAC and Singleton & Cocking Tunnels SAC.
- Arun Valley Special area of Conservation (SAC), Special Protection Area (SPA) and Ramsar***
- 7.96 Natural England have advised that their evidence shows that wildlife within the Arun Valley Sites is declining and some of the designated sites have been shown to be linked hydrologically to a layer of rocks from which water is currently being abstracted, or in other locations the hydrogeological link cannot be ruled out. Continued or increased levels of groundwater abstraction near Pulborough (abstraction for the supply of drinking water) may reduce water quantity in the Arun Valley Sites and adversely affect water levels and flow within the protected sites (in combination with other plans and projects in the Sussex North Water Supply Zone (WSZ)). Without an alternative sustainable water supply or mitigation measures, it cannot be ruled out that the hydrology of the sites will be unable to maintain the types and extents of habitats required to maintain the ‘Qualifying Features’ of the designated sites.
- 7.97 This application is providing for a total number of 21 dwellings on site (ranging in size from 1 - 6 bedrooms). The proposal also includes the re-instatement of an existing swimming pool and construction of a replacement ‘Pool House’ (with shower, toilet and kitchen facilities for use by residents on site). This will lead to an increase in water demand from the Sussex North WSZ.
- 7.98 To determine the total water usage of the proposed development, it has been assumed that the occupancy of the new dwellings is based on local census data (with some additional assumptions for the occupancy rates for the six-bedroom units). This would equate to 59 persons.
- 7.99 The submitted Water Neutrality Statement confirms that across the site it is assumed that the new dwellings would achieve 100.81 litres per person per day (l/p/d) including an allowance of 5 litres per day for external water usage. This would be achieved through the installation of a range of water efficient fixings.
- 7.100 As this is a ‘previously developed site’, it is also considered reasonable to make an assessment on the historic water usage of the site to establish a water usage baseline position. Prior to the Durand Academy leaving the site in 2017 / 18, the Main Building (and associated buildings and grounds) was used as a Boarding School – albeit for the most recent school use, ‘boarders’ were on site Monday to Friday as opposed to seven days a week. In addition, the two existing Cottages have been in use on temporary lettings.
- 7.101 The submitted Water Neutrality Statement sets out:
- The ‘baseline’ water usage, taking a precautionary approach (acknowledging how the site was used in its more recent history with boarders on site 5 days a week and excluding a figure for external water use for the sport pitches / grounds), has been calculated as 6,785.46 litres/day.
 - The water use for the proposed development at 100.81 litres per person per day with a population of 59, is estimated to be 5,947.79 litres/day.
 - The proposed development represents a decrease in water demand for the site of 837.21 litres/day and therefore, would be water neutral and no further offsetting or rainwater / greywater recycling would be necessary.

- With regards to the existing swimming pool. The Statement sets out whilst the swimming pool is existing, it would require some repair work and 're-filling'. As a precautionary measure, it is proposed that the swimming pool will be filled by tanker (taking water from outside the Sussex North WSZ) and any topping up would occur via rainwater recharge (which can supply 57% of its volume on an annual basis). In addition, any evaporation can be eliminated by using a Compass solar cover.
- With regards to the Pool House, the Statement sets out that the swimming pool and associated Pool House is for the use of the residents only. Therefore, the showers, toilet and kitchen facilities would represent alternative facilities to those within the new dwellings, not additional to those facilities.

- 7.102 Considering the 'baseline' water usage of the site and the proposed water usage (inc. water efficient fixtures), water neutrality can be achieved. It is also considered that the potential impacts identified have been sufficiently addressed by the mitigation measures proposed for the existing swimming pool.
- 7.103 There is a risk that without mitigation there could be impact to the integrity of the SAC. Therefore, it is considered reasonable that the proposed mitigation measures are secured through suitably worded planning conditions and planning obligations (secured via a Section 106 legal agreement). It is also worthy of note that Natural England have raised no objection in this respect.
- 7.104 It can therefore be concluded that, subject to securing the mitigation measures, there would be no adverse effects on the integrity of the Arun Valley SAC / SPA / Ramsar site in terms of water abstraction arising from the development, either alone or in combination with other plan and projects.

Ebernoe Common SAC and Singleton & Cocking Tunnels SAC

- 7.105 The reasons for designation and the 'Qualifying Features' for the Ebernoe Common Special Area of Conservation and Singleton & Cocking Tunnels Special Area of Conservation (SACs) relate to specific Bat Species and their habitats.
- 7.106 As reflected in Policy SD10 of the SDLP, proposals which may have a likely significant effect due to impacts on the SACs directly or its functionally linked habitat require surveys to support assessment of the issue to ensure that key features are retained.
- 7.107 The application has been supported by an Ecological Impact Assessment. The assessment report concludes that whilst there is no direct impact or loss of the SACs, three buildings on site, the Main Building, adjacent Cottages and 'Coach House' were maternity and day roosts for a variety of bat species – mainly Common and soprano pipistrelles and brown long-eared bats (not species associated with the reasons for the designation). However, wider activity surveys of the site found less common species, including Nathusius' pipistrelle and barbastelle, used the site for foraging and commuting (barbastelle species are one of the primary reasons for the designation). The bats were recorded within the woodland / landscaped areas both around the boundary edges and within the centre of the site.
- 7.108 The proposed development does include renovation work to the Main Building and the existing Cottages (including roof repairs), the demolition of other ancillary buildings (including the 'Coach House') to be replaced with new buildings and the construction of new buildings on grassland to the north-east of the site (adjacent to mature trees / woodland boundaries).
- 7.109 The overall development (inc. works to the designed grounds) will result in a loss of 0.54 ha of 'other broadleaved woodland' and 0.19 ha of 'mixed scrub' from within the site. Therefore, the proposal could have an impact on functionally linked habitats, through the potential loss of habitat within the site and light and noise disturbances to those functionally linked habitats.

7.110 The proposal includes the following avoidance and mitigation measures:

- Focusing the new development to the conversion of existing buildings, replacement buildings largely on the footprint of existing buildings to be demolished or new buildings on existing grassland i.e. seeking to avoid and retain nearly all the existing mature trees, woodland and hedgerows on site;
- Committing to a construction programme that includes works to the roof of the retained Main Building and Cottages being restricted to essential repair works only (with maternity roosts to be retained) and to time any works to avoid the most sensitive periods for bats. In addition, taking a pre-cautionary approach to ensure all structures to be demolished are re-surveyed and searched where any potential roost features are identified;
- Landscaping / Planting Scheme (which seeks to retain and enhance the designed landscaped grounds), shows a variety of native planting, including scrub planting and enhancement of retained woodland. In addition, it would provide planting attractive for insects (to enhance foraging) and additional commuting habitats. Overall, the proposed development will retain and / or enhance a total of 1.11ha of 'other broadleaved woodland', 2.12ha of 'lowland mixed deciduous woodland' and 0.13ha of 'mixed scrub';
- Sensitive lighting scheme, permanent lighting on site is to be restricted and minimised in proximity to any areas of habitat to be retained and not directed at boundary habitats (to create dark corridors for commuting and foraging bats). The lighting strategy for the whole site will be controlled by condition and aims to result in zero upward light spill and limit light spill generally;
- Installation of 13 bat boxes across the site and 'built-in' features (ridge access points and bat boxes) within the new buildings (resulting in a minimum of 20 artificial bat roosts), and
- The approval of a Construction Environment Management Plan (CEMP) prior to commencement of construction on the site to include the following avoidance measures:
 - Installation of hoarding / fencing to allow standoff zones with the boundary with any retained priority habitat;
 - A minimum of 15m buffer between construction zone and Ancient Woodland (except where existing hardstanding is already within the 15m buffer zone);
 - Signage on hoarding / fencing to indicate the location and importance of adjacent habitats;
 - Works undertaken on site with the supervision of Qualified Project Arboriculturist;
 - The choice / use of hard landscaping materials to ensure any tree root compaction is mitigated;
 - Security lighting will not be directed at retained / boundary habitats; and
 - Security lighting must use sensors and be downward facing.

7.111 The applicant has also agreed to planning obligations to ensure the long-term management and maintenance of the proposed landscaping / ecological mitigation measures and lighting scheme, and the creation of a residents and tenants information pack to inform and educate the new residents of the sensitivities of the surrounding habitats and the SACs.

7.112 It is considered that the potential impacts identified have been sufficiently addressed by the avoidance and mitigation measures proposed.

7.113 There is a risk that without mitigation the loss and / or severance of existing commuting and foraging routes because of habitat loss (through direct loss or noise and lighting

disturbances) could impact the integrity of the SACs. Therefore, it is considered reasonable that the proposed avoidance and mitigation measures are secured through suitably worded planning conditions and planning obligations (secured via a Section 106 legal agreement).

- 7.114 In conclusion, based on the evidence provided and proposed mitigation measures, Officers are satisfied that there will be no adverse effects on the integrity of the SACs, SPA and Ramsar sites and no significant effects on other ecological / biodiversity features, including the Ancient Woodland and Veteran Trees. The application is therefore acceptable in this regard and would accord with Policies SD2, SD4, SD9, SD10 and SD11 of the SDLP and Policy SINDP10 of the Neighbourhood Plan.

Flood Risk / Drainage and Water Supply

- 7.115 As highlighted in the comments from the Lead Local Flood Authority (LLFA), following amendments, the scheme now adequately addresses the issue of potential flood risk from surface and ground water subject to securing the final details via suitably worded conditions. Therefore, the scheme would accord with Policies SD49 and SD50 of the SDLP.
- 7.116 A number of representations have expressed concerns about impacts to water supply within the wider area and in particular water supply to the neighbouring Stedham Campsite.
- 7.117 With regards to the wider issue of water supply, the respective Water Company has stated that the development will have an adequate water supply (subject to the usual connection application process).
- 7.118 As to the matter of whether the supply of water is a material consideration in planning terms is not a simple issue. There are requirements upon developers and water companies to provide water supply to homes under separate legislation. Planning considerations should not duplicate requirements already set out under separate legislation. Therefore, using the planning system as a vehicle to address the perceived matter of lack of water supply issues within the wider area should not be given undue weight or consideration in this respect. Notwithstanding, the Authority has consulted the necessary bodies and their comments have been reported.
- 7.119 As also highlighted in some of the representations, the existing water supply to nearby Stedham Campsite, is somewhat unusual as it is served by the supply to this site, as opposed to having its own individual supply.
- 7.120 Whilst the applicant has indicated that they would address this issue when they considered the water supply for the development itself, this is a private legal matter between the various parties and is not a material consideration in the determination of this application.
- 7.121 Concerns have also been raised about the foul drainage treatment package proposed on site (there are no existing public sewers serving the site and the current foul drainage system on site is connected to a sewerage treatment plant to the north of the site, on 3rd party land, which cannot be used going forward). Again, as highlighted in the comments from the LLFA, there is no objection to the principle of what is proposed. In addition, such a proposal is not unusual in rural locations. Therefore, the proposal is acceptable subject to securing the final details through suitably worded conditions.
- 7.122 In conclusion, subject to conditions, there will be no significant detrimental impacts to flood risk, drainage and water supply and the required mitigation measures (including those set out in ecology / biodiversity section above) are reasonable and necessary and there is no conflict with Policies SD17, SD49 and SD50 of the SDLP.

Sustainable Construction

- 7.123 As set out in the proposal section of this report, under ‘sustainable construction’ the applicant is seeking to achieve the requirements of Policy SD48 including through the use of air source heat pumps. Albeit recognising the limitations of being able to achieve the requirements in relation to a conversion of a Listed Building (and the issue of windows has

already been addressed above). The scheme also proposes EV charging points, green roofs and water efficiency measures (as highlighted above). All these measures are supported (with details secured through suitably worded conditions) and would accord with Policy SD48 of the SDLP, the Sustainable Construction SPD and, in respect of electric vehicle charging, the Design Guide SPD.

Archaeology

- 7.124 As highlighted in the comments from the County Archaeologist, there are no below ground archaeology issues as the site has low archaeological potential. Acknowledging that the construction of new build dwellings is more likely to lead to below ground impacts, however, some of the new builds are proposed on the footprint of existing buildings and where new buildings on 'open' land that is limited to a relatively small area. Given the relatively limited archaeological potential, when measured against the relatively limited extent of the impact, it does not merit the imposition of any archaeological condition. Therefore, there is no conflict with Policy SD16 of the SDLP.

8. Conclusion

- 8.1 The proposal conflicts with Policies SD7 (in relation to the increase in traffic to and from the site), SD19, SD25, SD27 and SD28 of the South Downs Local Plan and Policies SINDP6, SINDP11, and SINDP13 (in relation to the increase in traffic to and from the site) of the Stedham with Iping Neighbourhood Plan in relation to:

- new buildings to be used as dwellings proposed outside the settlement boundary;
- the reliance on the private car as the main form of transport for the majority of trips to and from the site and associated tranquillity impacts;
- no provision for affordable housing, and
- the proposed housing mix.

- 8.2 In all other respects, the proposal complies with the relevant requirements of Policies SD1, SD2, SD4, SD5, SD6, SD7, SD8, SD9, SD10, SD11, SD12, SD13, SD14, SD16, SD17, SD20, SD21, SD22, SD45, SD48, SD49, SD50, SD54 of the South Downs Local Plan and the relevant sections of Policies SINDP6, SINDP10, SINDP11, SINDP12, SINDP13, SINDP16 and SINDP17 of the Stedham with Iping Neighbourhood Plan, and would conserve and enhance the South Downs National Park in these respects.

- 8.3 In relation to development plan policy conflicts, as this development is deemed to be 'enabling development' and the amount of development proposed is accepted to be the minimum necessary, those conflicts are considered to be outweighed in this case by the significant public benefit of preserving and enhancing Heritage Assets (the Main Building and its grounds) and securing its long-term future. Therefore, approval is recommended.

9. Recommendation

- 9.1 It is recommended to grant planning permission subject to the completion of a Section 106 Legal Agreement (the final form of which is delegated to the Director of Planning) to secure the obligations set out in paragraph 9.4 and the conditions set out in paragraph 9.5.
- 9.2 In addition, that authority be delegated to the Director of Planning to refuse the planning application with appropriate reasons if the Section 106 Agreement is not completed or sufficient progress has not been made within 6 months of the 12 September 2024 Planning Committee meeting.
- 9.3 It is also recommended that the application for Listed Building Consent, which includes all the works proposed requiring such consent, is granted, subject to the conditions set out in paragraph 9.6.

- 9.4 **Planning Obligations (Section 106 Legal Agreement)**

- Early delivery of the conversion of the Main Building, alterations to the Cottages and landscaping works / enhancements to the wider garden / grounds;
- A 'Transport Bond' to cover the costs of installing passing bays on the private land (between Tote Lane and Linch Road) should agreement be reached with 3rd party owners;
- Securing the 'water neutrality measures' including restricting the use of the proposed swimming pool and associated pool house;
- The provision of a Community Liaison Group and Estate Management Company;
- Estate Management Plan (to include the maintenance and management of communal spaces, drainage, lighting and landscape and ecological management measures), and
- The provision of a residents and tenants information pack (to include information about ecological mitigation measures on-site and responsibilities associated with those mitigation measures and highlighting transport / access issues).

9.5 **Planning Conditions and Reasons**

Time Limit

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 of the Town and Country Planning Act 1990 (as amended).

Approved plans and documents

2. The development hereby permitted shall be carried out in accordance with the plans and documents listed below under the heading 'Plans and Documents referred to in consideration of this application'.

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

Removal of permitted development rights

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification). No buildings, structures, works or minor operations as defined within Part 1, classes A-H and Part 2, classes A-C of Schedule 2, shall be erected or undertaken on the site, unless permission is granted by the Local Planning Authority pursuant to an application for that purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interests of the character and appearance of the area and to ensure retention of mitigation measures.

Construction Management

4. No development shall commence on site, including any site clearance work and any works of demolition, until a Construction Environmental Management Plan (CEMP), which shall include details of the following:
 - A programme for carrying out the works, including phased programme of demolition and construction works;
 - The anticipated number, frequency and types of vehicles used during construction;
 - The method and management of access and routing of vehicles during construction;
 - The parking of vehicles by site operatives and visitors;

- The location of site office and welfare facilities, and sales office;
- The timings of deliveries to site;
- The loading and unloading of plant, materials and waste;
- The storage of plant and materials used in construction of the development;
- The erection and maintenance of security hoarding;
- Measures to minimise the noise (including vibration) generated by the demolition / construction process to include hours of work, proposed method should foundation piling occur, the careful selection of plant and machinery and use of noise mitigation barriers;
- Measures to control the emission of dust and dirt during the demolition / construction process, including details of a dust management plan;
- Management measures being taken to ensure no burning of demolition and construction materials on site;
- Tree protection works during construction in accordance with the details required under Condition 7;
- A scheme for recycling / disposing of waste resulting from demolition and construction works;
- Wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders where necessary);
- Measures for making good any damage during construction to Tote Lane and the private drive between Tote Lane and Linch Road;
- Measures to manage flood risk both on and off site during construction;
- Any lighting, including location, height, type and direction and that lighting has been designed in accordance with the approved Ecological Mitigation Strategy, Wispers Estate, Midhurst prepared by the Ecology Co-Op, dated 20 April 2024;
- Other ecological mitigation measures, including method statements and measures to be adopted to avoid and manage impacts on the adjacent designated sites, protected species and other important habitats and the eradication of invasive non-native species (in accordance with the approved Ecological Mitigation Strategy, Wispers Estate, Midhurst prepared by the Ecology Co-Op, dated 20 April 2024), and
- Public engagement both prior to and during the construction works.

has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Environmental Management Plan shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in the interest of maintaining a safe and efficient highway network, in the interests of amenity, to conserve and enhance the landscape character and biodiversity of the area and to ensure no adverse impacts on designated sites and protected species.

5. No construction works, including demolition, earth works and the use of heavy plant, shall be undertaken on site except between the hours of:
 - 08:00 hours to 18:00 hours Monday to Friday,
 - 08:00 hours to 13:00 hours on Saturday, and

- no work shall be undertaken on Sundays, Bank and Public Holidays.

Reason: To enable the Local Planning Authority to control the development in the interest of maintaining a safe and efficient highway network and in the interests of amenity.

6. No development, including any site clearance works, demolition works or ground works, shall commence on site until details of any earthworks has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - The proposed grading and mounding of land area including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform in relation to a nearby datum point;
 - The volume of cut / fill material;
 - Where surplus material may be placed on site, or alternatively proposals for removing and distributing the soil resource from site.

The development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.

7. No development, including any site clearance works, demolition works or ground works, shall commence on site until a final Tree Works / Removal and Protection Plan, indicating which trees are to be removed and / or pruned and how the remaining trees will be protected during construction of the development has been submitted to and approved in writing by the Local Planning Authority.

The measures of protection should be in accordance with BS5837:2012 and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the Root Protection zones.

For the purposes of this condition the term 'tree' means any existing tree or hedge / hedgerow.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity and the landscape character of the area.

Landscaping / Ecology

8. Notwithstanding the details shown on the approved plans, no development shall be commenced until details of hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The plans shall include:
 - Treatment of external surfaces, paths, access ways, courtyards, seating areas, patio areas and parking spaces, including their appearance, depth and permeability, kerbs, edges, steps and ramps, spot levels, finished floor levels, upstands and demarcation;
 - Drainage proposals (including any attenuation or other SuDs features) in accordance with the details required under Conditions 19 and 20);
 - Proposed and existing levels and falls, including any land / bank alterations (including section plans);
 - Construction details, sections and treatment of external surfaces for any proposed retaining walls / structures;
 - Location, height and materials / construction technique for all boundary treatments and other built means of enclosure including any gates, bollards, railings and fencing;

- Location, height and design of any street furniture, including fire hydrants, bins, lighting and other utilities equipment (in accordance with the details required under Conditions 23, 24, 26, 27 and 28);
- Tree grilles and tree pit surfaces;
- Tree protection measures (including those in accordance with details required under Condition 7), and
- Other ecological mitigation and enhancement measures, including method statements and measures to be adopted to avoid and manage impacts on the adjacent designated sites, protected species and other important habitats (in accordance with the approved Ecological Mitigation Strategy, Wispers Estate, Midhurst prepared by the Ecology Co-Op, dated 20 April 2024).

Reason: In the interests of amenity, to conserve and enhance the landscape character, to preserve and enhance the Heritage Assets and to safeguard protected species.

9. Notwithstanding the details shown on the approved plans, no development shall be commenced until the final details of the soft landscaping, including provision of the green roofs, have been submitted to and approved in writing by the Local Planning Authority. The plans shall include:
- Detailed schedule of plants, hedgerows and trees, noting species, sizes and proposed numbers / densities;
 - Tree protection measures (in accordance with details required under Condition 7);
 - Planting methods including soil depth and support proposals (underground guying etc);
 - Tree guards, staking and tree-pit construction information;
 - Ground preparation;
 - Surface dressing, where appropriate;
 - Grassing / turfing operations;
 - Seed mixes;
 - Written specification for soil amelioration including cultivations, planting methodology, establishment and maintenance operations;
 - Proposed and existing levels and falls;
 - Any bunding or land alterations (including cross-sections);
 - Surface water drainage features details (in accordance with the details required under Condition 19), and
 - Other ecological mitigation and enhancement measures, including method statements and measures to be adopted to avoid and manage impacts on the adjacent designated sites, protected species and other important habitats and the eradication of invasive non-native species (in accordance with the approved Ecological Mitigation Strategy, Wispers Estate, Midhurst prepared by the Ecology Co-Op, dated 20 April 2024).

Reason: In the interests of amenity and to conserve and enhance the landscape character and preserve and enhance the Heritage Assets.

10. All hard and soft landscape works shall be carried out in accordance with the approved details (in accordance with Conditions 8 and 9).

All hard landscaping shall also be carried out in accordance with the approved details prior to the development hereby permitted first being occupied or in accordance with a programme to be agreed in writing by the Local Planning Authority.

All soft landscaping shall be carried out in accordance with the approved details prior to the development hereby permitted first being occupied or in accordance with a programme to be agreed in writing by the Local Planning Authority.

All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by Local Planning Authority.

Reason: In the interests of amenity, to conserve and enhance the landscape character, to preserve and enhance the Heritage Assets and to safeguard protected species.

Design / Sustainable Construction

11. Notwithstanding the details shown on the approved plans, no development shall commence until a schedule of architectural details, materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes have been submitted to and approved in writing by the Local Planning Authority. Details to include:

- External walls;
- Roofs;
- Any proposed photo voltaic panels (including fixtures and fittings);
- Eaves, fascias and soffits;
- Rainwater goods;
- Windows and openings including glazing, head, sill, lintel and depth of reveals;
- Doors;
- Sustainable materials and other sustainable construction measures in accordance with the details required by Condition 12;
- Any car barns / ports;
- Any external storage buildings, and
- Other ecological mitigation and enhancement measures, including measures to be adopted to avoid and manage impacts on protected species (in accordance with the approved Ecological Mitigation Strategy, Wispers Estate, Midhurst prepared by the Ecology Co-Op, dated 20 April 2024)

The development shall be carried out in accordance with the approved schedule and samples unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the development in the interest of conserving and enhancing the landscape character, and preserving and enhancing the Heritage Assets, and to safeguard protected species.

12. No development shall commence on site until a design stage sustainability report has been submitted to and approved in writing by the Local Planning Authority.

For energy this must demonstrate with reference to design stage SAP data

- Predicted CO₂ emissions from all proposed new dwellings to be at least 19% reduced through the energy efficiency of the buildings compared to the target emission rate baseline set by Building Regulations
- Predicted CO₂ emissions from all proposed new dwellings to be at least 20% reduced through the use of on-site low or zero carbon energy generation compared to the target emission rate baseline set by Building Regulations.

For water this must demonstrate via a BRE (or equivalent) water calculator that the predicted internal mains water consumption is no more than 100 litres/person/day.

Thereafter, the development shall be undertaken in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an environmentally sustainable development.

13. Within six months of the first occupation of any residential unit hereby permitted, unless otherwise agreed in writing by the Local Planning Authority, to submit to the Local Planning Authority for written approval a post completion sustainable construction report. The report shall demonstrate that the development has complied with the details and requirements of Condition 12.

Reason: To ensure an environmentally sustainable development.

Contaminated Land

14. No development, including site clearance works, demolition or ground works, shall commence until a scheme (referred to as a Phase 1 Report) to deal with contamination of the site and /or controlled water has been submitted to and approved in writing by the Local Planning Authority.

The Phase 1 Report shall include, a report compiled by a competent person which includes a desk top study, site walkover, production of a site conceptual model and a human health and environmental risk assessment.

Reason: In the interests of amenity and to protect the health and future occupiers of the site from any possible effects of land contamination.

15. If the Phase 1 Report, as required under Condition 14;, identifies potential contamination then no development, including site clearance works, demolition or ground works, shall commence until a Phase 2 Intrusive Report has been submitted to and approved in writing by the Local Planning Authority

The Phase 2 Intrusive Report shall detail all investigative works and sampling on site, together with the results of the analysis. The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

Reason: In the interests of amenity and to protect the health and future occupiers of the site from any possible effects of land contamination.

16. If the Phase 2 Intrusive Report, as required under Condition 15; identifies that site remediation is required then no development, including site clearance works, demolition or ground works, shall commence until a Remediation Scheme has been submitted to and approved in writing by the Local Planning Authority

The Remediation Scheme shall detail how the remediation will be undertaken, what methods will be used, what is to be achieved and a Verification Report setting out any requirements for longer term or on-going monitoring and maintenance arrangements.

A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme.

Thereafter the approved Remediation Scheme shall be fully implemented in full accordance with the approved details.

Reason: In the interests of amenity and to protect the health and future occupiers of the site from any possible effects of land contamination.

17. The development hereby permitted shall not be occupied until a Verification Report for the approved Remediation Scheme, as required by Condition 16, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination.

18. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 24 hours to the Local Planning Authority.

An investigation and risk assessment must be undertaken and where remediation is necessary a Remediation Scheme must be prepared and submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved Remediation Scheme, a Verification Report must be prepared and submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity, to protect health and to ensure that risks from land contamination to neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

Drainage

19. No development shall commence until a detailed sustainable surface water drainage scheme, including a Management Plan detailing its future management and maintenance, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

- include construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a construction method statement;
- be in accordance with the approved Flood Risk Assessment and Drainage Strategy, Issue Final V5, dated 14/05/2024 produced by Motion;
- be in accordance with the approved Sustainable Construction Report (Ref: ZJ-41) dated 9 May 2023, produced by Thermenergy and the details required under Condition 12;
- include the provision of green roofs, as shown on the approved plans, and
- demonstrate opportunities for multi-functional SuDS have been taken and follow best practice set out in the CIRIA SuDS Manual, Policies SD2, SD17 and SD50 of the South Downs Local Plan and the SDNPA Design Guide SPD.

The scheme shall thereafter be undertaken and maintained in full accordance with the approved details.

No dwelling shall be occupied until the drainage system has been implemented in full accordance with the approved details.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of, and adaptation to, predicted climate change.

20. No development shall commence until a detailed scheme for the means of foul water disposal has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

- include construction drawings of the drainage network, associated drainage components, drainage calculations, flow control mechanisms and a construction method statement;
- be in accordance with the approved Flood Risk Assessment and Drainage Strategy, Issue Final V5, dated 14/05/2024 produced by Motion;
- include details of the odour and noise mitigation measures and
- include full details of a Management and Maintenance Plan.

The scheme shall thereafter be undertaken and maintained in full accordance with the approved details.

No dwelling shall be occupied until the drainage system has been implemented in full accordance with the approved details.

Reason: To ensure satisfactory provision of foul water drainage and in the interest of local amenity.

21. Prior to first occupation of the development hereby permitted, evidence (including photographs) to demonstrate that the surface water and foul water drainage systems have been constructed in full accordance with the final agreed detailed drainage schemes shall be submitted to and agreed in writing by the Local Planning Authority

Reason: To ensure satisfactory provision of surface water and foul drainage, ensure surface water runoff from the development is managed safely and in the interest of local amenity.

Noise – External Mechanical Plant and Air Source Heat Pumps

22. Before the development hereby permitted is first occupied, details of the proposed noise mitigation / protection measures that will be used on site to protect the living conditions of the residents living on site from any external mechanical plant, including the hereby approved Air Source Heat Pumps to serve the residential dwellings, shall be submitted to and approved in writing by the Local Planning Authority.

The details shall be prepared by a competent person for the purpose of assessing potential noise nuisance to surrounding residential properties. The agreed details shall be fully implemented before the development hereby approved is first occupied and the measures shall be installed, operated and maintained in full accordance with the approved details and shall be retained thereafter.

Reason: In the interest of amenity.

Lighting and Dark Night Skies

23. No development shall be commenced until a detailed external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the type and location of all external lighting to be installed throughout the site and be in full accordance with the approved Ecological Mitigation Strategy, Wispers Estate, Midhurst prepared by the Ecology Co-Op, dated 20 April 2024.

Thereafter, the lighting shall be installed, maintained and operated only in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve and protected species.

Parking and Cycle Facilities

24. No development shall be commenced until details of the location and appearance of the Electric Vehicle Charging Points and associated infrastructure for the individual houses and communal parking areas (both above and below ground) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To enable the provision of sustainable modes of transport.

25. Prior to the first occupation of the development hereby permitted, unless otherwise agreed in writing by the Local Planning Authority, the car parking, including electric vehicle charging points to be approved under Condition 24, shall be constructed in full accordance with the approved plans. The car parking spaces, together with the electric vehicle charging points, shall thereafter be retained for their designated purpose.

Reason: To ensure an adequate and satisfactory standard of parking provision and turning space within the development.

26. Notwithstanding the details shown on the approved plans, no development shall be commenced until, details of cycle parking / storage for all the dwellings has been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking / storage details shall be implemented prior to the occupation of the development and thereafter retained.

Reason: To provide for alternative modes of transport.

Refuse / Recycling Storage

27. Notwithstanding the details shown on the approved plans, no development shall be commenced until, details of refuse / recycling storage for all the dwellings has been submitted to and approved in writing by the Local Planning Authority. The approved refuse / recycling storage details shall be implemented prior to the occupation of the development and thereafter retained.

Reason: To provide for alternative modes of transport.

Utilities and Telecommunications

28. No development shall be commenced until details of how superfast broadband connection will be provided (or an equivalent alternative technology) and installed on an open access basis (including the location and appearance of any above ground equipment), have 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 details.

Reason: To provide satisfactory broadband connection for new residential units and businesses and to protect the landscape character of the area.

29. All new electricity and telephone lines shall be laid underground.

Reason: To safeguard the landscape character of the site.

Water Neutrality

30. Prior to installation, the details of the swimming pool cover to be installed shall be submitted to and approved in writing by the Local Planning Authority (such details shall be in full accordance with the Water Neutrality Statement, dated 4 June 2024 produced by Motion).

The agreed details shall be fully implemented before the development hereby approved is first occupied and the swimming pool cover shall be installed, operated and maintained in full accordance with the approved details and shall be retained thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites, in accordance with the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

31. Prior to the first occupation of any of the new build dwellings (as identified as Units B1, B4, B5, C1, C2, C3, C4, D1 and D2 on drawing number: P20076-RFT-00-XX-DR-A-0110 Revision P04), hereby approved, evidence shall be submitted to and approved in writing by the Local Planning Authority that the approved Water Neutrality Mitigation Strategy for the development has been implemented in full. The evidence shall include the specification of fittings and appliances used, photographic evidence of their installation, and completion of the as built Part G or BREEAM water calculator or equivalent to demonstrate the savings made. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites, in accordance with the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

9.6 **Listed Building Consent – Conditions and Reasons**

1. The works for which listed building consent is hereby granted must be begun not later than the expiration of three years beginning with the date of this consent.
Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The development hereby permitted shall be carried out in full accordance with the plans listed below under the heading 'Plans and documents referred to in the consideration of this application'.

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

3. Prior to any works commencing on site a written programme and method statement for recording all surviving historic fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with the approved details and any surviving historic fixtures and fittings shall be retained in situ unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the works accord with the terms of the consent and to safeguard the appearance of the development in the interest of conserving and enhancing the heritage asset.

4. Prior to any works commencing on site a full schedule of works (including fixtures for any services) and timings and phasing of such works concerning the conversion and extension of the existing buildings (to be retained) and any repairs, with working drawings, and method statements shall be submitted to and approved in writing by the Local Planning Authority.

Such schedule, drawings and / or statement must be based upon the terms of this consent and must, therefore, involve the in-situ repair and conversion of the buildings and structures, and not their dismantling and subsequent reconstruction. In addition, the details, particularly in relation to Bats, shall also be in full accordance with the

approved Ecological Mitigation Strategy, Wispers Estate, Midhurst prepared by the Ecology Co-Op, dated 20 April 2024.

The working drawings (including joinery drawings at a scale no less than 1:20) must show full details of the works necessary to enable the conversion and extension works to take place, including the exact amount and method of repair and replacement, insulation works, and installation of any ventilation and extraction equipment.

The method statement shall set out the exact method of conversion and the detailed method of support and protection of the buildings before and during conversion / extension and repair works.

Once approved the works shall only be carried out in full accordance with the approved details.

Reason: To ensure that the works accord with the terms of the consent and to safeguard the appearance of the development in the interest of conserving and enhancing the heritage asset and in the interest of protected species.

5. Notwithstanding the details shown on the approved plans, prior to any works commencing on site a schedule with details of all materials, finishes and fixtures, to be used on all external surfaces and internal spaces, including (but not limited to) new joinery, windows, any roof lights, doors, rainwater goods, lighting and flooring forming part of the development hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority.

Such details shall include elevations and sections, glazing bars and mullions.

The development shall be carried out in full accordance with the approved details and the approved details retained thereafter.

Reason: To ensure that the works accord with the terms of the consent and to safeguard the appearance of the development in the interest of conserving and enhancing the heritage asset.

Mike Hughes

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Appendices: Appendix 1 – Information concerning consideration of applications before committee

Appendix 2 – Site Layout Plan

SDNPA Consultees Director of Planning, Development Manager, Legal Services

Background Documents: All planning application and Listed Building Consent plans, supporting documents, consultation and third-party responses –

[All planning application plans, supporting documents, and consultation and third party responses SDNP/23/02187/FUL](#)

[All planning application plans, supporting documents, and consultation and third party responses SDNP/23/02188/LIS](#)

[South Downs National Park Partnership Management Plan](#)

[South Downs Local Plan 2019](#)

[Stedham with Iping Neighbourhood Plan, Made on 10 June 2021](#)

[Supplementary Planning Documents and Technical Advice Notes](#)

[Historic England – Enabling Development and Heritage Assets \(June 2020\)](#)