
Grounds of Appeal - Statement of Case

The Former Queens, Selborne
Appeal for application SDNP/20/04118/FUL

Planning Statement

The Former Queens, High Street, Selborne, GU34 3JH



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1. Statement of Purpose

- 1.1. This Statement of Case (“SoC”) has been prepared on behalf of Derek Warwick Developments Ltd (“The Appellant”).
- 1.2. The SoC is submitted in support of a planning appeal pursuant to section 78 of the Town and Country Planning Act (as amended), in respect of a decision made by the Local Planning Authority (LPA), the South Downs National Park Authority (SDNPA) contrary to the recommendation of its professional advisers, to refuse planning permission for development at The former Queens Public House, High Street, Selborne, GU34 3JH (“the Appeal Site”).

The Appeal Site

- 1.3. The Appeal Site comprises a former public house (‘The Queens’) and is located on the north-east side of the High Street in Selborne, Hampshire. Selborne is an attractive village in East Hampshire, located on the B3006 which links Alton (5 miles), the A3 and Petersfield (9 miles) and further on to Winchester (21 miles).
- 1.4. The Queens comprises a three storey building located within the centre of the plot with its south-west elevation fronting the High Street. Immediately to the north-west is a barn used by the former public house for ancillary storage and car parking. The balance of the site comprises the pub garden and parking areas associated with the previous use. Beyond the barn to the north-west, the site abuts the residential curtilage of Whites Cottage and Plum Tree House. The site is bounded to the south-east by Huckers Lane and to the north by a row of car parking bays and the access track to Plum Tree Cottage.
- 1.5. Selborne has an existing trading public house called The Selborne Arms, a church, primary school, post office/convenience store, village hall and tea room. Selborne is a popular destination for walkers partly as a result of the village’s link with world famous naturalist Gilbert White and attracts a large number of visitors the Gilbert White House and Gardens.
- 1.6. Albeit not listed as formal joint applicants the unique and urgent operational requirements of the Gilbert White and Oats Collection (GWOC) are at the forefront of the Appeal Proposal. Subject to securing planning consent, it is proposed that the ground floor of the appeal premises be leased to the GWOC by the Appellant for use as a Field Study Centre and Tap Room on a ‘peppercorn rent’ for a period of 99 years. As detailed in the planning submission, and throughout this Statement, the addition of this space is imperative for the ongoing financial sustainability of the GWOC who have been present in Selborne village since 1955.

The Appeal Scheme

- 1.7. The description of development is as follows (“the Appeal Scheme”):

“Conversion and extension of the existing Queens building and barn to form 5no. Aparthotel suites (C1), a Field Study Centre and Tap Room (Mixed Class F.1 and Sui Generis) and 1no. Detached dwelling (C3) within the grounds, with associated parking and landscaping.”

- 1.8. The appeal is made against the LPA's refusal of the planning application (LPA Reference: SDNP/20/04118/FUL) for the above development, decision notice dated 1st October 2021 (Appendix 1), following a refusal of the application at the Planning Committee on 9th September 2021 against their Officer's recommendation to approve.
- 1.9. The two reasons for refusal are:
- 1. It has not been demonstrated that the proposed alternative community facilities to be provided, would be accessible, inclusive and available, and of an equivalent or better quality to those lost and subsequently it has not been demonstrated that there is no market demand for the existing use or an equivalent Community use (in the absence of evidence of a robust marketing campaign of at least 24 months). The proposal is therefore contrary to Policy SD43(2) of the Adopted South Downs Local Plan (2014-2033).*
 - 2. The proposals, by virtue of the new building, additions, increased parking provision, landscaping and access alterations, would amount to overdevelopment of the site, most notably in relation to Huckers Lane, and would therefore have an unacceptable impact on the landscape character of the area and the Conservation Area. The proposals would therefore be contrary to Policies SD4(1), SD5 and SD15(1) of the Adopted South Downs Local Plan and the NPPF.*
- 1.10. This SoC sets out the Appellant's case and the response to the reasons for refusal with reference to the development plan and other material considerations.
- 1.11. We demonstrate within this Statement that:
- Prior to and during the determination of the application, the Appellant worked extensively with the LPA to reach a form of development that was acceptable to the Council and its statutory technical consultees
 - The proposals would not be a loss but rather a reconfiguration of tourism accommodation and community facilities. The Appeal proposals are inclusive, available, accessible and of equivalent or better quality to the former use in accordance with Policy SD43.
 - The scale, form and massing of the Appeal Proposals has been iteratively worked up in close association with the Council's Design, Landscape and Heritage officers and its location and architectural detailing is a direct response to the Council's comments
 - The Appeal Proposals will make a positive contribution to the character and setting of the village whilst supporting and enhancing the function of this positive amenity for the community.
 - the development proposals are well designed and entirely sympathetic to their locality. The landscape interventions are acknowledged within the Officer's Report to be an enhancement over the existing appearance of the site and, as such, there is no demonstrable harm
 - The Appeal Site will become a community hub offering multiple benefits to a much wider demographic within the local community. The range and flexibility of uses offered will far eclipse the previous use.

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- There will be no net increase in parking provision. In actuality there will be a net decrease in car parking spaces associated with the Appeal Proposals (20 spaces compared to the 24 existing).
- The highways improvements on Huckers Lane have been pared back to only those strictly necessary to achieve the development (i.e. visibility splay into the site). There is no longer any widening of the highway in order to maintain the local road hierarchy and the rural nature of the Lane itself.

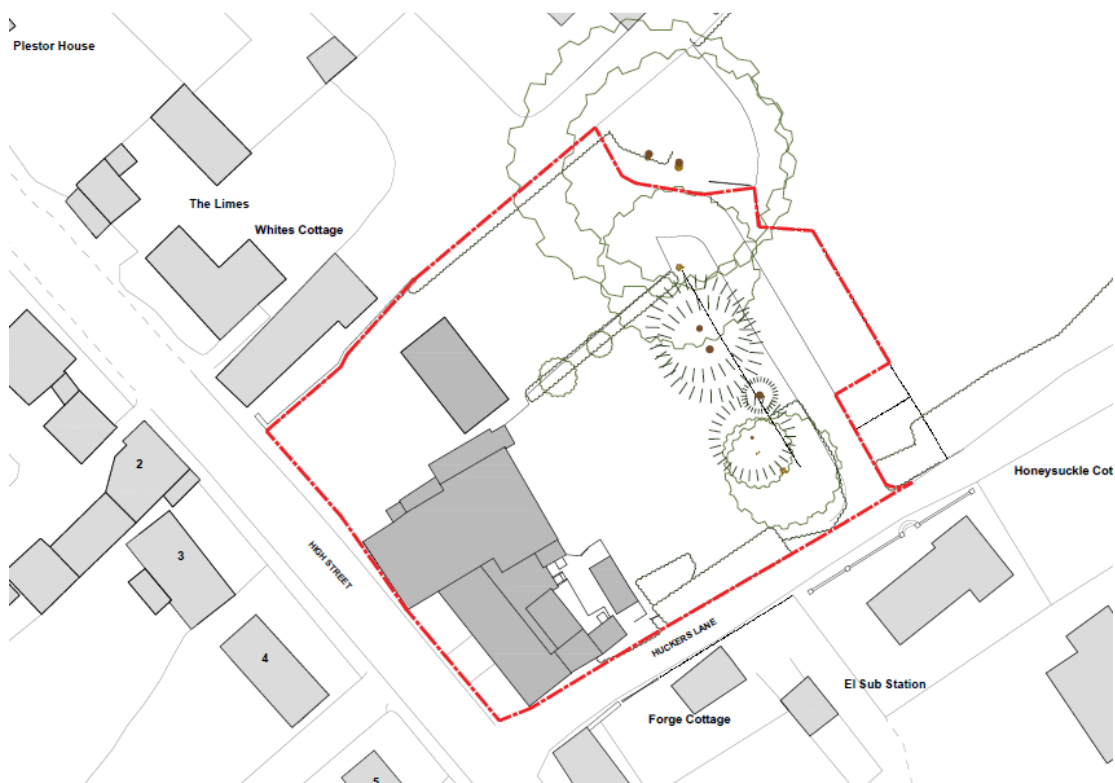
1.12. Please note, all appendices which are to be read alongside this Statement have been submitted in an accompanying document.

2. Appeal Site and Context

Description of appeal site

- 2.1. The appeal site measures approximately 0.49 hectares and is located on the north-east side of the High Street, Selborne. The appeal site is located within the village Settlement Policy Boundary, the Selborne Conservation Area and the South Downs National Park. The building is not listed, although there are listed buildings nearby.
- 2.2. The appeal site comprises a three storey main building, with single storey additions and is located at the front of the plot with its south-west elevation facing the High Street. Immediately north-west of the main building is a barn associated with the former public house for ancillary storage and also a car parking area. The rear of the site comprises the pub garden, an access drive and parking area.
- 2.3. As shown in Figure 1, the appeal site is bounded to the south-east by Huckers Lane and to the north-east by a row of car parking bays and the access drive leading to Plum Tree House. Beyond the drive is a paddock, enclosed by fencing and boundary hedging on all sides.

Figure 1: Appeal Site



- 2.4. The character of the surrounding area is predominantly residential, although non-residential uses are nearby, including the post office/shop, village hall and the Selborne Arms Public House. Access to the site is from the High Street (B3006) and from Huckers Lane.

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- 2.5. The Queens last operated as a public house with letting rooms in 2015, and has been closed and vacant since 2015. Savills were initially instructed to act on behalf of Punch Taverns in marketing the subject property on 9 January 2015 who has chosen to divest themselves of the property following a sustained period of deteriorating trading conditions. The property was placed under offer on the 12 April 2015 and the sale to the Appellant completed on 29 May 2015. Savills were then re-instructed to market the property, available to let or for sale, on behalf of the Appellant on the 27 January 2016. The Appeal premises were marketed continuously by the Appellant until May 2019 (submission of the Appeal).
- 2.6. As detailed at Section 3, the Appeal Scheme represents the culmination of 6 years concerted effort on the part of the Appellant, to work with the community and local authority officers to identify a viable beneficial use for the premises and site.
- 2.7. Following the refusal of Application #5 and the subsequent appeal dismissal, the Appellant reframed their development aspirations for the site and sought to engage directly with the Gilbert White Museum. The development proposals submitted herein have come as a direct response to the comments of the SDNPA, the content of the Appeal Inspector's decision and the representations received in response to the public consultation exercise carried out in preparation for this submission. As detailed within the Appellant's original submission documents and in this Statement, the proposals have been designed to meet a demonstrable need within the village and the National Park, be truly complementary to the existing businesses within the village and deliver a valuable resource for the local community.

3. Relevant Planning History

3.1. In addition to the planning application which is the subject of this Appeal, there have been five recent planning applications that have sought to establish an appropriate and sympathetic re-use for this attractive building/site and one previous appeal.

1. SDNP/16/05403/FUL (6 no. Dwellings)

3.2. In October 2016 an application was submitted to the SDNPA, with the following description of development:

'Change of use from public house (Use Class A4) to 6 residential units (Use Class C3) (five X 2 bed apartments and one X 3 bed dwelling), with demolition of single-storey structures.'

3.3. Amended drawings and supplementary supporting information were submitted on 24 November 2016, 14 February 2017, 1 March 2017 and 31 March 2017.

3.4. Following engagement with planning officers, the application was formally withdrawn by the applicant, as confirmed by the Council on 28 April 2017.

2. SDNP/17/04565/FUL (Change of Use of the Barn to 1no. Dwelling)

3.5. On 27 September 2017, a full planning application was submitted proposing the change of use and extension of the existing barn adjacent to The Queens to form a single residential dwelling, single garage and associated parking and landscaping.

3.6. On 14 November 2017, the application was refused via delegated powers by the SDNPA. The reasons for refusal are summarised in Table 1.

3. SDNP/17/04753/FUL (Demolition of Single Storey buildings)

3.7. On 15 September 2017, an application was submitted for the demolition of the flat roofed toilet block and single storey function room and kitchen.

3.8. On 22 November 2017, the application was refused via delegated powers by the SDNPA. The reasons for refusal are summarised in Table 1.

4. SDNP/17/05420/FUL (Single detached dwelling)

3.9. On 8 November 2017, an application was submitted for the erection of a stand-alone three bedroom dwelling in replacement of the proposed function room (shown for demolition under SDNP/17/04753/FUL).

3.10. On 3 January 2018, the application was refused via delegated powers by the SDNPA. The reasons for refusal are summarised in Table 1.

5. SDNP/18/02564/FUL (5 dwellings)

3.11. On 11 May 2018, an application was submitted for the conversion and alteration of the existing Queens

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building and barn to form 4 residential dwellings, including demolition of single storey structures, and the erection of 1 detached dwelling within the grounds.

3.12. On 13 February 2019, the application was refused at East Hampshire District Council Planning Committee (on behalf of the SDNPA). The reasons for refusal are summarised in Table 1.

6. Planning Appeal #1 (APP/Y9507/W/19/3229374)

3.13. An appeal was made in May 2019 against the LPA's refusal planning application SDNP/18/02564/FUL.

3.14. Following a Hearing 20/07/2019, the Inspector Sophie Edwards dismissed the appeal in a letter dated 11 October 2019. The substantive reason for dismissal was:

'For the foregoing reasons, I conclude that the proposal would not be acceptable, having regard to local and national planning policies in respect of community facilities and sustainable rural tourism. The appeal scheme would result in the loss of a valued community facility and associated visitor accommodation, which would be harmful to the surrounding community and would not be outweighed by the provision of five additional dwellings. The appeal scheme would therefore conflict with LP Policies SD23 and SD43, as well as the Framework.'

3.15. Following the refusal of Application #5 and the subsequent appeal dismissal, the Appellant reframed their development aspirations for the site and sought to engage directly with the Gilbert White Museum. The development proposals submitted herein have come as a direct response to the comments of the SDNPA, the content of the Appeal Inspector's decision and the representations received in response to the public consultation exercise carried out in preparation for this submission. As detailed within the Appellant's original submission documents and in this Statement, the proposals have been designed to meet a demonstrable need within the village and the National Park, be truly complementary to the existing businesses within the village and deliver a valuable resource for the local community.

Asset of Community Value

3.16. On 11 May 2018 EHDC confirmed in writing that the Appellant's listing review had succeeded and the Queens would be removed from the Council's ACV List and would be placed on the Unsuccessful List.

Table 1: Summary of Planning History

| Reason for Refusal (Summarised) | Topic |
|---|---------------------------------------|
| 6 no. Dwellings (SDNP/16/05403/FUL) | |
| Withdrawn by Applicant | N/A |
| Barn (SDNP/17/04565/FUL) | |
| 1. The proposal would lead to the loss of the parking area. | Community Facility |
| 2. The ecological information submitted is out-dated and does not provide sufficient information to ascertain that there would not be harm caused to protected species. | Ecology |
| Demolition (SDNP/17/04753/FUL) | |
| 1. The function room that it is proposed to demolish is considered to make a positive contribution to the character of the Conservation Area, and no acceptable detailed plans have been approved for the re-use of the land. | Heritage/ Conservation Area Character |

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| | |
|---|---------------------------------------|
| 2. The application is not supported by sufficient justification to satisfactorily demonstrate that the loss of this facility would not adversely impact on the future viability of this community facility. | Community Facility |
| New Dwelling (SDNP/17/05420/FUL) | |
| 1. The function room that would have to be demolished to accommodate this proposal is considered to make a positive contribution to the character of the Conservation Area, and the dwelling hereby proposed would fail to provide a suitable replacement structure that would respect the historic form of Selborne. | Heritage/ Conservation Area Character |
| 2. The application is not supported by sufficient justification to satisfactorily demonstrate that the loss of this facility would not adversely impact on the future viability of this community facility. | Community Facility |
| 3. The application fails to demonstrate that adequate visibility could be provided to the site to provide for safe vehicular access. | Highways |
| 4. The proposal does not provide adequate information to demonstrate that there would not be harm caused to protected trees from the proposed development. | Trees |
| 5. The proposal fails to demonstrate that the proposed first floor side roof lights would not cause unacceptable overlooking of neighbouring properties or that the amenities of occupiers of the proposed dwelling would not be harmed by the neighbouring land uses. | Residential Amenity |
| 5 New dwellings (SDNP/18/02564/FUL) | |
| 1. The application is not supported by sufficient information to satisfactorily demonstrate that the requirements of policy CP16 of the East Hampshire District Local Plan: Joint Core Strategy and policies SD 23 and SD43 of the emerging South Downs Local Plan have been met. | Community Facility |
| Appeal (APP/Y9507/W/19/3229374) | |
| 1. The proposal would not be acceptable, having regard to local and national planning policies in respect of community facilities and sustainable rural tourism | Community Facility |

4. Evolution of the Appeal Scheme

- 4.1. The appeal scheme represents the best efforts of the appellant, in liaison with the community and local authority officers over a sustained period of time, to identify a viable beneficial use for the premises and site. As detailed in the Officer's Committee Report (Appendix 2) the Appeal scheme comprises the:
- Conversion and extension of the former Queens to provide 5no. self-catering 'aparthotel suites', totalling 10 bedrooms (C1);
 - Conversion of the ground floor of the former Queens to provide new flexible space for the Gilbert White Museum's Field Studies Centre and the creation of a Tap Room from which to sell Gilbert White's beer (Mixed Class F.1 and Sui Generis);
 - Conversion and extension of the existing barn to provide one residential dwelling (C3);
 - Demolition of single storey structures; and
 - Provision of associated parking and amenity areas for all the respective uses.
- 4.2. The rationale for the form and balance of proposed uses is outlined in full in the Appellant's Planning Statement (Savills, September 2020) and within the LPA's Committee Report (Paragraphs 3.1-3.13). As detailed in the Planning Statement, the Appeal Proposals are designed to meet a demonstrable need within the village and the National Park, be truly complementary to the existing businesses within the village and
- 4.3. Prior to and during the determination of the application, the Appellant worked extensively with the LPA to reach a form of development that was acceptable to the Council and its statutory technical consultees. In close liaison with the LPA a number of positive design changes and revisions were made which are detailed chronologically below.

The Submitted Scheme (September 2020)

- 4.4. The original application was submitted to the SDNPA on 28th September 2020 and validated on Thursday 15th October 2020. The scheme, as originally submitted, comprised the following (Savills emphasis):
- Conversion and extension of the first and second floor of the former Queens to provide 5no. self-catering 'aparthotel suites', totalling 11 bedrooms (C1);
 - Conversion and extension of the ground floor of the former Queens to provide new flexible space for the Gilbert White Museum's Field Studies Centre and the creation of a Tap Room from which to sell Gilbert White's beer (Mixed Class F.1 and Sui Generis);
 - Conversion and extension of the existing barn to provide one residential dwelling (C3);
 - Demolition of single storey structures; and
 - Provision of associated parking and amenity areas for all the respective uses.

Updated Drawing Pack and Summary Response (22 December 2020)

- 4.5. In December 2020, having received the lion's share of public and statutory consultee comments, the Appellant submitted a revised drawing pack and provided a summary response to the consultee comments raised (Appendix 3).

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- 4.6. Having reviewed the comments it was clear that, whilst there was broad support for the principle of the proposals from the Council's statutory consultees, there was concern surrounding the scale and massing of the scheme and its relationship with its local landscape setting.
- 4.7. In particular the Landscape
- 4.8. To this end, the Appellant went back to first principles and redesigned the proposals from **a landscape-first approach**.
- 4.9. In summary the changes comprised (Savills emphasis):
- The two-storey extension was **removed** from the plans in favour of retaining the existing single storey 'function-room'. The retained function room will be refurbished and become the field-study centre for use by the GWM. As detailed in the Landscape Officer's comments, the current single-storey structure allows for characteristic views over the Site to the Hanger Woods. The retention of the function-room would tally with the comments of the Council's Conservation Officer who considered that its loss would be detrimental to the character and appearance of the Selborne Conservation Area.
 - The two aparthotel suites which would have been accommodated on the first floor of the extension are now proposed to be accommodated within a **purpose built outbuilding within the grounds** of the Queens. The new accommodation block has been consciously designed so as to present as an ancillary outbuilding to the main Queens building. As detailed in the Conservation Officer's comments, much of the Selborne Conservation Area is characterised by buildings interspersed with ancillary outbuildings which are more humble in scale and materials of construction. These buildings are reflective of Selborne as an historic working village.
 - In their comments of 16/11/20 the Landscape Officer advised that, 'Parked cars do not create the most appropriate or characteristic edge to Selborne, this space should be revisited'. In recognition of this and the 'countryside edge' that forms the eastern edge of the development site and the designated greenspace immediately beyond this, **the car parking for the tourist accommodation was moved internally to the site to protect this sensitive rural 'interface'**. The new integrated car parking court will sit behind the belt of mature Cyprus, Holly, Ash and Spruce trees which will serve to shield the cars from longer distance views.

Business Plan (February 2021)

- 4.10. At the request of the LPA, a copy of the Gilbert White Museum's Business Plan for the Queens was submitted to the LPA in February 2021 (a redacted copy provided Appendix 4) and accompanied by a supporting planning note (email dated 03/03/2020 – Appendix 5). An un-redacted copy can be provide to the Inspectorate on request.

Updated Drawing Pack and Design Amendments (March 2021)

- 4.11. In response to the comments of the Council's Landscape and Design Officers an updated drawing and document pack was submitted to the LPA in two tranches in March 2021 (Friday 19th March & Tuesday 23rd

March).

- 4.12. The plans were amended to reflect the following key updates within the site layout (Savills emphasis):
- **The extent of the widening proposed along Huckers Lane was reduced.** Where it was previously proposed to widen Huckers Lane along the full length of the application site, it was now only proposed to widen the lane in the first 10 metres to allow two cars to pass at the junction and improve manoeuvrability.
 - **A densely planted buffer strip is now proposed at the eastern boundary of the site** which will serve to shield the site from longer distance views and soften the impact of the development at this sensitive countryside 'interface'. An updated Tree Protection plan and AMS was submitted to reflect the updates.
- 4.13. The following updated documents were submitted;
- **Shadow HRA Screening:** Further to the comments of the Hampshire County Council Ecologist (28/01), Eclipse Ecology were instructed to undertake a Shadow HRA Screening which concludes that the proposed development is unlikely to have a significant effect on the Wealden Heath Phase II SPA alone or in combination with any other plan or project. It is therefore unlikely that this HRA Screening Assessment would need to progress to the Appropriate Assessment stage.
 - **Updated ECIA and Clarification Letter:** In response to the comments of Rebecca Harvey (Ecology Team, Hampshire County Council) Eclipse Ecology provided a summary response addressing the each points raised. The ECIA was updated to reflect the latest layout and the additional work undertaken in response to Ms Harvey's comments. Centrally, it was demonstrated in the ECIA that the development can proceed with minimal impact to ecological features if the avoidance/mitigation measures outlined in Section 6 of the ECIA are implemented. The proposed development will also demonstrate biodiversity net gain by including the enhancements outlined in Section 7.
 - **Landscape Principles Plan:** The project architect updated the Landscape Principles Plan to reflect the evolution of the site layout. The plan shows how the design had evolved to better reflect its surroundings/meld into the local character more successfully. Additions since the last iteration (December 2020) included:
 - Swift bricks on the southern gable of the new single storey block (to reflect ECIA)
 - Addition of wildflower grassland (to reflect ECIA)
 - Bin store now shown internally constructed from wood for bats to grip (to reflect ECIA)
 - Landscape Buffer added to the sites' eastern edge (to reflect Landscape Plan).

Meeting with Consultees (April 2021)

- 4.14. On 15th April 2021 the Appellant met with the SDNPA Case officer (Graeme Felstead) and a number of key consultees (Design, Heritage and Landscape) to review the scheme (minutes of which are included at Appendix 6). It was agreed at the meeting that the Appellant would **undertake a local character assessment of Selborne** (Appendix 7) and commission additional evidence in respect to SuDs and Sustainability.

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Updated Drawing Pack and Character Study (July 2021)

- 4.15. Further to the meeting on 15th April, a consolidated pack of information was submitted to the SDNPA on 23rd July 2021, alongside a covering letter summarising where and why the principal amendments had been made.
- 4.16. The design amendments comprised (Savills emphasis):
- The **external accommodation block moved** to sit parallel with Huckers Lane with reinstatement of grass verge Suite 5 has been converted to a 1 bedroom unit – allowing the **accommodation block to be reduced in length by 2m** (21m to 19m)
 - The **accommodation block will now be timber clad** on its southern, eastern and western elevations and the **roof is now half-hip**;
 - **Bike storage consolidated** at the southern end of the accommodation block to de-clutter the site and improve circulation/movement through the site
 - Additional informal seating areas introduced to improve enjoyment of the outside space – better emphasis on/improve access to the communal green space
 - **Three drainage swales have been introduced into the site to accommodate surface water**;
 - **A low level boundary wall installed to the front car park** taking influence from the boundary treatment of the Gilbert White Museum and provide a better sense of enclosure;
 - The highways improvements on Huckers Lane have been pared back to only those strictly necessary (i.e. visibility splay into the site). There is **no longer any widening of the highway at the junction with High Street in order to maintain the local road hierarchy and the rural nature of the Lane itself.**

Updated Drawings (August 2021)

- 4.17. Further to comments received from the Council's Design Officer relating to the layout of the frontage car park and the boundary treatment fronting High Street an updated Site Plan and SW Elevation for The Queens was submitted to the LPA. An updated Landscape Plan was submitted to the LPA on Friday 27th August 2021.
- Front car park spaces shown to SDNPA SPD Standards
 - Bank of pleached trees provided behind the low level brick wall
 - Access aperture now 3.25m

Summary

- 4.18. It is clear from the preceding sections that a tremendous amount of work has been undertaken by the Appellant in close liaison with the LPA, to produce a planning scheme that best fits the context and circumstances of the appeal site. The principal amendments made from the original submission scheme to the Appeal Scheme can be summarised as:
- Parking moved internally to the site and a densely planted buffer strip proposed at the eastern boundary of the site to shield the site from longer distance views and to soften the impact of the development at this sensitive countryside 'interface'.

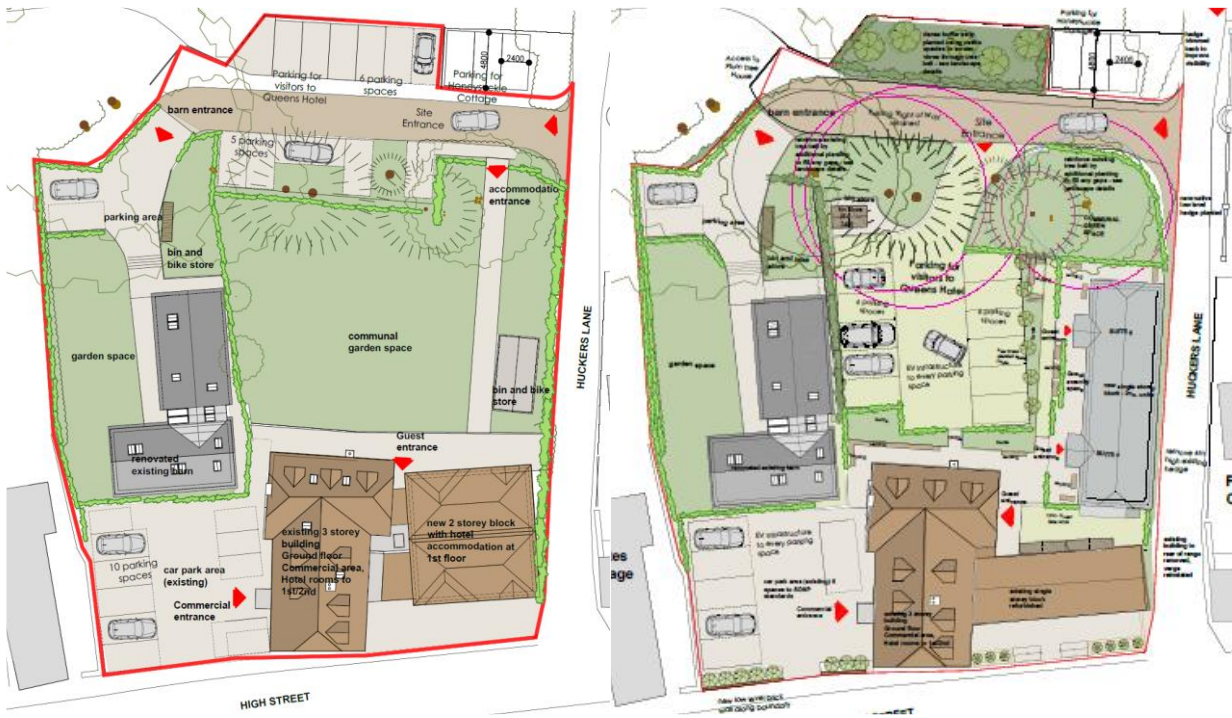
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- The two-storey extension has been removed from the plans in favour of retaining the existing single storey 'function-room'. The retained function room will now become the field-study centre.
- The two aparthotel suites which would have been accommodated on the first floor of the extension are now proposed to be accommodated within a purpose built outbuilding within the grounds of the Queens. The new accommodation block has been consciously designed so as to present as an ancillary outbuilding to the main Queens building.
- The external accommodation block has been moved to sit parallel with Huckers Lane. In addition, Suite 5 has been converted to a 1 bedroom unit – allowing the accommodation block to be reduced in length by 2m (21m to 19m). The accommodation is now proposed to be timber clad and the proposed roof is now half-hip.
- The highways improvements on Huckers Lane have been pared back to only those strictly necessary. There is no longer any widening of the highway at the junction with High Street.
- The front car park has been reconfigured and a low level boundary wall is to be installed to the front car park which will take influence from the existing boundary treatment of the Gilbert White Museum and provide a better sense of enclosure and enliven the streetscene.
- Three drainage swales have been introduced into the site to accommodate surface water.
- Bike storage has been consolidated at the southern end of the accommodation block to de-clutter the site and improve circulation/movement through the site. Additional informal seating areas introduced to improve enjoyment of the outside space.

Figure 2: Original Site Plan vs Amended Site Plan



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- 4.19. It is evident from the chronology of events outlined above that the scheme have been subject to tremendous review and amendment. The engagement with the LPA's Design, Heritage and Landscape Officers has resulted in a **truly landscape-led scheme**.

5. Planning Policy Context

- 5.1. Section 38 (6) of the Planning and Compulsory Purchase Act states that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for the Appeal Site comprises:
- The South Downs Local Plan 2014-2033 (adopted 2 July 2019)
- 5.2. Notwithstanding the Officer's recommendation to approve, the application was found by Members of the Planning Committee to be contrary to the following Local Plan policies:
- SD43(2);
 - SD4(1);
 - SD5; and
 - SD15(1)
- 5.3. The Development Plan is covered in detail at Section 6 of the Appellant's Planning Statement and at Pages 23-31 of the LPA's Committee Report. Sections 7 and 8 of this Appeal Statement address compliance of the Appeal Proposal with the development plan policies identified in the Council's reasons for refusal.

6. Third Party Comments

6.1. As summarised within the LPA's Committee Report (pages 21-22 – Appendix 2) and below, following consultation with internal and statutory consultees during the application process, no significant concerns were raised by them that could not be satisfactorily mitigated, for example, through the imposition of conditions:

- SDNPA Policy – No Objection
- Arboricultural Officer – No objection subject to conditions
- Ecological Officer – No objection subject to conditions
- Design and Landscape Officers (Joint Response) – No objection subject to revised access, parking and conditions*
- Drainage – No objections subject to conditions
- Environmental Health (Contaminated Land)– No objection subject to advisory note
- Highways Authority – No objection subject to conditions
- Historic Environment Officer – No objections subject to conditions
- Regeneration Officer and Placemaking Team – No objection subject to conditions
- HCC Ecology – No objection subject to conditions

**The revised front car park arrangement (access and parking) was submitted to the LPA on 25/08/21*

6.2. Selborne Parish Council's (SPC) objection is set out in detail at Page 22 of the Committee Report and includes: lack of marketing, loss of trees, concerns surrounding highways and access, loss of community facilities. The comments of SPC are addressed in Sections 7 and 8.

7. Common Ground

- 7.1. Having sought to engage with the Council throughout the determination of the application, it is considered the following can be considered common ground between both parties and can be set aside for the purposes of the Appeal.

Surface Water and Drainage

- 7.2. Policies SD2 and SD50 seek to ensure that proposals ensure against increase of surface water runoff, taking into account of climate change, and deliver sustainable drainage solutions. A drainage report was submitted in support of the application. The provision of on-site solutions can be secured through a suitably worded landscaping (Draft Conditions 14 and 18).

Residential Amenity

- 7.3. There is not considered to be a significant material increase in noise disturbance. The scheme therefore would not materially impact upon the amenities of other surrounding uses and properties. Environmental Health have raised no objections to the proposals.

Ecology & Trees

- 7.4. No Ecological or Arboricultural concerns have been raised by the Council, nor have they been listed as a reason for refusal. The acceptability of the scheme in regards to ecology and trees is considered common ground.

Dark Night Skies

- 7.5. The site is located within the Dark Skies Intrinsic Zone of Darkness (E1a). As detailed in the Officer's Report, it is considered that harmful light spill could be adequately mitigated through the use of blackout blinds and low transmittance glass. Details of these can readily be secured via an appropriately worded condition (Draft Condition 17).

Sustainability

- 7.6. The SDNPA Sustainable Construction SPD provides further guidance to support the implementation of the South Downs Local Plan policies, in particular Policy SD2: Ecosystem Services, Policy SD22: Parking Provision (where it relates to electric vehicle charging), Policy SD48 Climate Change and Sustainable Use of Resources.
- 7.7. As detailed in the Officer's Report, through negotiation and subject to conditions, the site layout and design, ecological enhancements and community use of the proposals which are retained albeit in a differing form respond positively to the principles of sustainable development and the needs of the local community as well as support the wider local economy.

Highways

- 7.8. The Highways Authority have not raised any technical concerns about increased traffic or use of the accesses in relation to highway safety matters. The scheme accords with SD19. Subject to Draft Conditions 11 and 12.
- 7.9. The proposed car parks would be sufficient to meet the needs of the development, in accordance with policy SD22 and the Parking SPD. Three new electric vehicle charging points are proposed and secured via Draft Condition 13 and to ensure that they are delivered. This is sufficient to accord with SD22.

Tourist Accommodation

- 7.10. Policy SD23 (Sustainable Tourism) seeks to guard against the loss of visitor accommodation within the National Park. When measured against the previous level of provision the application proposals result in no net loss of tourist rooms (5 remaining as 5) and represent a marked increase in the provision of available 'bed spaces' (6 to 11), To add, disabled access will be provided to 4 out of the 5 suites i.e. 9 out of 11 bed spaces. This is considered an improvement over existing where disabled access isn't provided to the upstairs accommodation.
- 7.11. The proposals would not be a loss but rather a reconfiguration of tourism accommodation. Policy SD23 is not cited in either reason for refusal and is considered common ground.

8. Grounds of Appeal – Reason for Refusal 1

Reason for Refusal 1

8.1. Reason for Refusal 1 states:

‘1. It has not been demonstrated that the proposed alternative community facilities to be provided, would be accessible, inclusive and available, and of an equivalent or better quality to those lost and subsequently it has not been demonstrated that there is no market demand for the existing use or an equivalent Community use (in the absence of evidence of a robust marketing campaign of at least 24 months). The proposal is therefore contrary to Policy SD43(2) of the Adopted South Downs Local Plan (2014-2033).’

8.2. SD43(2)(c) allows for the provision of alternative community facilities that are inclusive, available, accessible, of equivalent or better quality and do not cause an unreasonable shortfall in provision. The key reference is for facilities to be ‘equivalent or better quality’.

8.3. The fundamental issue would, therefore, appear to be that the LPA do not consider the Appeal Scheme to be ‘equivalent or better quality’. Where the equivalence test is not met, SD43(1)(a) requires evidence to be provided of a robust marketing campaign of at least 24 months.

8.4. The correct interpretation of Policy SD43 and its application to the Appeal Proposal is covered below. For ease of reference the comments of the LPA are shown in blue.

Interpretation of Policy SD43(2)

8.5. Policy SD43(2) states

‘Development proposals that would result in the loss of, or have an unacceptable adverse impact upon, an existing community facility, will not be permitted unless:

a) For commercially run community facilities, evidence is provided of a robust marketing campaign of at least 24 months that clearly demonstrates there is no market demand for the existing use or an equivalent community use; or

b) For community- or publicly-owned or managed facilities, it can be robustly demonstrated that there is a lack of need for the existing facility, or an equivalent community use; or

c) Alternative community facilities are provided that are accessible, inclusive and available, and of an equivalent or better quality to those lost, without causing unreasonable reduction or shortfall in the local service provision.’

8.6. Policy SD43(2) is intended to guard against planning proposals that would result in the loss of, or have an unacceptable adverse impact upon, an existing community facility – unless one of three exceptions can be demonstrated. The key provision within SD43(2) for the Appeal Scheme is exception (c) which allows for the loss of an existing facility where, ‘alternative community facilities are provided that are accessible, inclusive and available, and of an equivalent or better quality to those lost, without causing unreasonable

reduction or shortfall in the local service provision’.

- 8.7. Importantly, SD43(2) does not require compliance with all three exceptions (denoted by the ‘or’ function rather than an ‘and’ function), nor does it imply a material ranking of the exceptions. For the Appeal scheme to be found acceptable it must simply be demonstrated that the community facility being proposed would be accessible, inclusive and available, and of an equivalent or better quality to those lost, without causing unreasonable reduction or shortfall in the local service provision.

Application of Policy SD43(2)

- 8.8. SD43(2)(c) allows for the provision of alternative community facilities that are inclusive, available, accessible, of equivalent or better quality and do not cause an unreasonable shortfall in provision. The key reference is clearly understood to be ‘equivalent or better quality’.
- 8.9. Importantly, Policy SD43 does not demand a like for like replacement – it requires an equivalent or better quality **alternative** community facility. Paragraph 7.227 of the South Downs Local Plan lists the types of community infrastructure facilities or the purposes of Policy SD43 which includes cultural facilities, education and public houses (noting that the list isn’t exhaustive). As set out by the Policy Officer (comments dated 15/02 attached at Appendix 8) ‘community facilities’ may be a combination of different types and on a continuum. It is not the intention of the Appeal Proposals to replicate a pub. The uses of this space will be more wide ranging and the benefits felt by the local community will be multifaceted.
- 8.10. As detailed in the submitted Business Plan (Appendix 4) and again below, the Appeal Site will become a community hub offering multiple benefits to a much wider demographic within the local community. The range and flexibility of uses offered will far eclipse the previous use.
- 8.11. I have summarised some key excerpts from the submitted Business Plan under each heading below.

The Field Study Centre (FSC)

- 8.12. By day the FSC will provide a classroom facility equipped with the latest audio-visual and learning equipment. During the evenings, weekends and school holidays the FSC would be made available for hire for talks, groups, exercise classes and school holiday activities to the benefit of the local community.
- 8.13. In their representations Selborne Parish Council have alleged that the Appellant has not tried to argue that the educational space has any benefit to the community during the times it is in use as a classroom. On this point I would simply note that education falls squarely within the list of community infrastructure facilities under Policy SD43. It is not the intention of the Appeal Proposals to simply replicate a pub.
- 8.14. The inclusion of education facilities within the remit of SD43 is corroborated in the response of the SDNP Policy Officer (Savills emphasis):

‘This development proposal includes provision of a Field Studies Centre with links to the Gilbert Whites Museum and Tap Room on the ground floor. It is noted in the submitted Ecosystem Services Statement that the Field Studies Centre, as well as for education of school age children, will also be ‘available for hire outside of traditional school/operating hours for the use of the local community’. **The Field Studies Centre**

provides a cultural and education facility, an alternative type of community infrastructure facility as per paragraph 7.227.'

- 8.15. The allegation by Selborne Parish Council that there would be, '*no live music groups, sport on TV, exhibitions, quizzes or any of the fun community events that the pub used to run to bring people together*' is a falsehood. As detailed in the Appellant's Planning Statement and in the GWM's Business Plan the space will be made available to the community and as such it will be entirely within the gift of the local community to book the space and arrange these events – just as they would have been required to do within the former use.

The Tap Room & Community-Shop

- 8.16. It is proposed that the balance of the ground floor will be used as a small community-shop and tap room:
- The community-shop would sell Gilbert White home grown vegetables and also beers produced by the Gilbert White nano-brewery plus other wines and seasonal spirits. Both the local shop and village post office have been closed recently and during the Covid -19 lockdown the GWM ran a 'pop-up' shop from its existing premises to serve the community and has learnt what is required by way of local demand, local suppliers etc. The GWM consider that they have built up the trust and support of the local community as demonstrated by their continued patronage of the shop during the lockdown period. The Appeal Site will provide a permanent home for this facility.
 - The Tap Room would operate selling Gilbert White beers from the GWM 'nano-brewery' and selected wines and spirits including "Selborne wine". It is proposed that a small food offering would also be available for either a sit-down meal or take away. Food would be transferred to the Appeal Site from the White's Cafe in suitable containers and served from the Appeal Site's kitchen area.

Proposed Hours of Operation

- 8.17. Proposed hours of operation are still be confirmed; however, I have outlined the proposed hours below.
- FSC: The FSC area would house school parties and children's groups during the day 9am -5pm. Any time/space that is not taken up with these activities could be used for hire during the day and school holidays to other groups – e.g. children's parties, yoga and other groups such as summer school activities. The evening and weekends would be hired out as a venue for talks, classes, community events and for other interested groups.
 - Shop: 0800 – 1400 Monday to Saturday and Sunday 0900 -1200
 - Tap Room: Monday – Saturday 6 -10pm and closed on Sunday
- 8.18. As detailed in the Appellant's original submission, the facility will to a large extent be 'demand led'. If there is the demand within the community for longer opening hours or extended opportunities to hire spaces within the building this can readily be facilitated by the GWM.

Apart-Hotel Accommodation

- 8.19. Albeit not a specifically listed 'community facility' under SD43 it is well understood that supporting the development of visitor accommodation provides opportunities to improve the vitality of the National Park's villages, particularly boosting the evening economy and creates local employment and sustains existing businesses.
- 8.20. As part of the evidence base for the SDNP Local Plan, a Visitor Accommodation Review was published. The executive summary to that review document states that visitor accommodation in the National Park is performing very strongly at weekends and during the week in peak summer months and that there is a strong demand for high quality accommodation, which generally trades at the highest levels of occupancy and price. The assessment identifies clear prospects for future growth in the demand for all types of visitor accommodation in the National Park, alongside good potential for the South Downs to expand on many of the current and emerging rural visitor accommodation development trends.
- 8.21. As detailed in the comments of the SDNPA Thrive Team on Sustainable Tourism and Sustainable Economy (Appendix 9):

'Provision of visitor accommodation is recognised as an important part of sustainable tourism which can contribute to the local economy and to meeting the second purpose of the National Park in the evidence base for the Local Plan and is reflected in the introductory text of Policy SD23, and in the South Downs Sustainable Tourism Strategy. Across the National Park there is generally recognised to be lack of sufficient hotel-style accommodation. Selborne is a popular location for tourist visitors and a lack of sufficient hotel style visitor accommodation here is noted. Policy SD23(2) resists the loss of visitor accommodation subject to viability, marketing or harmful impacts on special qualities; however, this development proposal makes provision for an alternative style of visitor accommodation in the form of 5no. 'Aparthotel Suites' (Use Class C1). These provide a hybrid hotel and self-catering style visitor accommodation which makes a contribution to meeting the visitor accommodation provision needs of the National Park and the PMP outcomes.'

Summary

- 8.22. As detailed by the Policy Officer, SD43 is broad, and does not specify precise parameters for defining 'loss' or 'equivalence' (Appendix 8). The judgement as to whether the proposed use of the ground floor constitutes an 'equivalent or better quality' community facility is ultimately a matter for case by case judgement. However, the preceding analysis robustly demonstrates the extensive and multifaceted benefits that the conversion will deliver for both the Gilbert White Museum as a longstanding local charity and more importantly a broad cross-section of the local community.
- 8.23. This is corroborated by the LPA in the Committee Report (Savills emphasis):

'To summarise the proposals would not be a loss but rather a reconfiguration of tourism accommodation and community facilities. SD23 and SD43 are broad, and do not specify precise parameters for defining 'loss' or 'equivalence'. The FSC and Tap Room will make educational, tourism, cultural, heritage and land-use enterprise/economy connections with the area, contributing to priorities of the South Downs Partnership Management Plan (PMP) and the requirements of Policy SD34.

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The hours of use are broadly equivalent. The key difference being that **the proposed uses will be more wide ranging**. It is envisioned that **the Queens will become a community hub, offering multiple benefits to a much wider demographic.**

8.24. Table 3 summarises the benefits of the proposed facility, compared against the previous use.

Table 3: Summary Community Benefits Table

| Element | Existing Use | Proposed Use(s) | Appellant Commentary |
|-------------------------|---|--|---|
| Opening Hours | A4/ Sui Generis (Pub/Hotel) 11.00-23.00 (assumed) | FSC: 09.00-17.00 (Education) Shop/Tap Room: 08.00-22.00 FSC: 17.00-22.00 | Taken together the hours of use are broadly equivalent. The key difference being that the proposed uses will be more wide ranging. It is envisioned that the Queens will become a community hub, offering multiple benefits to a much wider demographic. The range and flexibility of uses offered will far eclipse the previous use and can flex to meet demand. |
| Pub/Bar | Pub | Mixed Class F.1 and Sui Generis | Policy SD43 does not demand a like for like replacement – it requires an equivalent or better quality alternative community facility. The provision of a Tap Room within the former Queens will pay homage to the historic use of the building as a public house and will allow the Trust to utilise many of the remaining features of the former public house (i.e. the retained cellar). It must be noted that there is another pub within the village, The Selborne Arms, which continues to service the village. It is considered that a single public house for a village the size of Selborne is entirely adequate (a population of less than 700 persons). |
| Community Function Room | Yes | Yes | The development will not preclude the continued beneficial use of the Queens building by the local community. The use of the Tap Room and FSC for live music groups, exercise classes, exhibitions or quizzes will be entirely within the gift of the local community to book the space and arrange these events – just as they would have been required to do within the former use. The FSC will provide a facility equipped with the latest audio-visual and learning equipment which will be a marked improvement over existing. |

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| | | | |
|-------------------------|------------------|--------------------|--|
| | | | In addition, the Village Hall is within close proximity of the site, the focal point for the annual Selborne Beer Festival, the annual Selborne pantomime and many regular activities such as Yoga, Tai Chi, Art, and Children's recreation. As well as a number of village related clubs and societies who meet there regularly. The Appeal Scheme will be a complementary and alternative space to this existing provision. |
| Overnight Accommodation | 5 Rooms (6 beds) | 5 Suites (10 Beds) | Whether the Council chooses to assess the proposals on 'units' or 'bed-spaces' there is clearly no loss of tourist accommodation as per Policy SD23. |
| Disabled Access | No. | Yes | 4 out of the 5 suites (excluding the top floor) will be fully accessible i.e. 9 out of 11 bed spaces meaning that a larger swathe of the local population will be able to access the facilities. |
| Demographic | Narrow | Broad | By virtue of the varied split of uses it is anticipated that the Appeal Scheme will be more attractive to a broader tranche of the local population and a much wider demographic. |
| Cultural Education and | No | Yes | <p>The development will extend the museum's capacity to deliver its aims and charitable objectives by expanding the museum's education programme.</p> <p>The FSC and Tap Room will make educational, tourism, cultural, heritage and land-use enterprise/economy connections with the area, contributing to priorities of the South Downs Partnership Management Plan (PMP) and the requirements of Policy SD34 (Local Economy).</p> |

9. Grounds of Appeal – Reason for Refusal 2

Reason for Refusal 2

9.1. Reason for Refusal 2 states:

'2. The proposals, by virtue of the new building, additions, increased parking provision, landscaping and access alterations, would amount to overdevelopment of the site, most notably in relation to Huckers Lane, and would therefore have an unacceptable impact on the landscape character of the area and the Conservation Area. The proposals would therefore be contrary to Policies SD4(1), SD5 and SD15(1) of the Adopted South Downs Local Plan and the NPPF.'

9.2. Reason for Refusal 2 can readily be split into the following constituent parts:

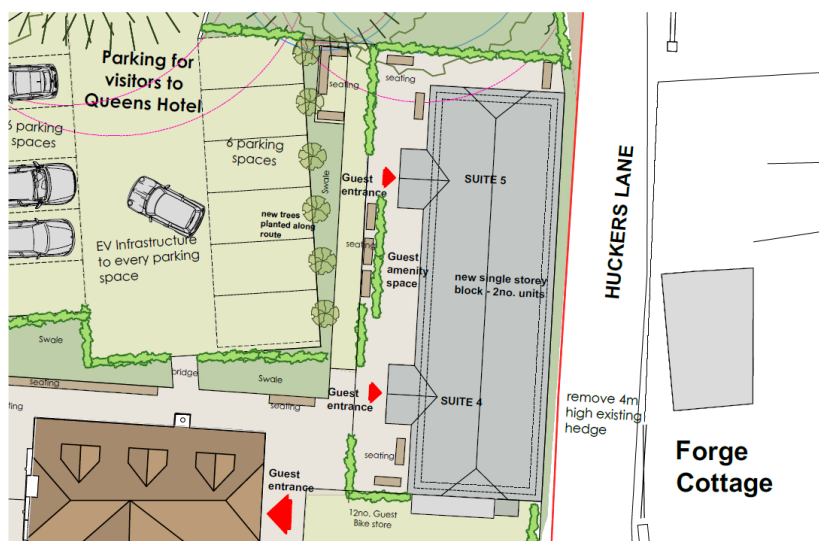
- A. The New Building & Additions
- B. Increased Parking Provision
- C. Landscaping & Access Alterations
- D. Overdevelopment and Landscape Character

9.3. These are addressed in turn below. For ease of reference the comments of the LPA are shown in blue.

A) The New Building & Additions

9.4. The 'new building' referenced in Reason for Refusal 2 is understood to comprise the accommodation block within the grounds of the former public house shown in Figure 3 below.

Figure 3: New Build Accommodation Block



9.5. As detailed in Section 4, the scale, form and massing of the proposed tourist accommodation block has been iteratively worked up in close association with the Council's Design, Landscape and Heritage officers



and its location and architectural detailing is a direct response to the Council's comments.

9.6. As originally submitted, all of the tourist accommodation units were to be located within a refurbished and extended main former Queens building. Whilst there was broad support for the principle of the proposals from the Council's statutory consultees there was concern surrounding the scale and massing of the proposed extension and its relationship with its local landscape setting.

9.7. The Conservation Officer's comments (received 16/11/20) stated that:

'Demolition of the existing function room and construction of a new two storey, double pile building in the southern corner of the site. This is the part of the proposal that really does concern me. Much of Selborne Conservation Area is characterised by buildings (mostly but not exclusively dwellings) interspersed with ancillary outbuildings which are more humble in scale and materials of construction. These buildings are reflective of Selborne as an historic working village.'

9.8. To this end, in the updated drawing pack submitted in December 2020, the two-storey extension was removed from the plans in favour of retaining the existing single storey 'function-room'. The two aparthotel suites which would have been accommodated on the first floor of the extension were now proposed to be accommodated within the newly proposed purpose built outbuilding within the grounds.

9.9. In response to the December 2020 pack, updated responses were received from the Council's statutory consultees. These are summarised below, along with the resultant design amendments made by the Appellant.

Table X: Accommodation Block Discussion with LPA

| Consultee Comment | Appellant Design Response |
|---|---|
| <p>Conservation (24/02/21):</p> <p>The creation of a single-storey range aligned on Huckers Lane could read as another ancillary building to the pub and, therefore, work in terms of the village character. It would be improved by</p> <ul style="list-style-type: none"> (1) reducing it in size (2) re-siting it eastwards so that the rear wall is at the back of the carriage way, and (3) Building it all in brick using a traditional brick-bond. <p>Design (08/04/21):</p> <p>The latest iteration of the extension (refurbishment of existing) reads as a subservient building, at least on plan.</p> <p>The proposed elevation along Huckers Lane of the replacement extension is better than the previous iteration but the new single storey building footprint is still quite large for what should read as an ancillary</p> | <ul style="list-style-type: none"> ▪ The external accommodation block was moved to sit parallel with Huckers Lane ▪ Suite 5 was been converted to a 1 bedroom unit – allowing the accommodation block to be reduced in length by 2m (21m to 19m) ▪ The accommodation block was amended to be timber clad on its southern, eastern and western elevations; ▪ The accommodation block roof was amended to be half-hip to soften the ridgeline; <p>At the meeting of 15th April 2021 It was agreed at the meeting that the Appellant would undertake a local character assessment of Selborne to inform the updated plans. I would direct the Inspector to the following items on the duly submitted Local Character Study:</p> <ul style="list-style-type: none"> ▪ 3. Façade Treatment (B3006 – Selborne Road) • 5. Huckers Lane timber clad building running parallel to the lane • 6. Hastards Lane Boundary Treatment • 18. Huckers Lane elevations (Junction of High ST & Huckers Lane) |

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| <p>building to the main building. This is also a very long ridgeline that will be visible over the hedge. If these are 2 units could they not be in 2 smaller, slightly differently treated buildings which would better reflect the local tradition of small ancillary buildings at the back of plots?</p> <p>Landscape (08/04/21):</p> <p>I support the comments of the Conservation Officer in relation to the proposed new ancillary building. It is currently too big, and to speak of Selborne should form the edge of the highway cinching it in with a blank or relatively blank elevation.</p> | <p>When considered against the above, the relocation of the accommodation block to run 'flush' with Huckers Lane and the timber cladding of the building can be seen as a direct reference to buildings within close proximity of the site and the local landscape character.</p> |
|--|---|

- 9.10. It can clearly be seen that the scale, form and massing of the proposed tourist accommodation block has been iteratively worked up in close association with the Council's Design, Landscape and Heritage officers and its location and architectural detailing is a direct response to the Council's comments. Given the level of engagement and the receipt of no formal objection from any of these consultees it is immensely disappointing for the Council to have included this element of the scheme within its reason for refusal.
- 9.11. In contrast to the findings of the Committee Members, the Appeal Proposals will make a positive contribution to the character and setting of the village whilst supporting and enhancing the function of this positive amenity for the community. The Appeal Scheme offers a holistic approach to the site and will preserve and enhance the character and appearance of the Selborne Conservation Area and the setting of nearby listed buildings in accordance with policies SD4, 5, 13, 14 and 15, the national policies contained within the NPPF and the guidance contained within the Selborne Conservation Area Leaflet (1993).

B) Increased Parking Provision

- 9.12. Reason for Refusal 2 states that, amongst other things, the increased parking provision associated with the Appeal Scheme would amount to overdevelopment of the site. This is simply not the case.

Physical Quantum

- 9.13. As existing, there is a total of 24 car parking spaces available on the Appeal Site. The frontage car park provides 10 spaces and is accessed directly from High Street. To the rear there are a further 14 spaces accessed from Huckers Lane. Under the Appeal Proposal the frontage car park is to be reconfigured to provide 6 car parking spaces to the front to the GWM elements of the scheme (Tap Room and FSC). To the rear spaces are being redistributed to accommodate the development proposals (2 spaces to serve the proposed dwelling and 12 spaces to serve the proposed tourist accommodation within the rear parking court).
- 9.14. As it can be seen there will be **no net increase in parking provision**. In actuality there will be a net decrease in car parking spaces associated with the Appeal Proposals (20 spaces compared to the 24 existing).

- 9.15. It is also noteworthy that the Appeal proposals will not give rise to an intensification of the use of the accesses. As detailed in the Appellant's Transport Statement (Rev 04), using the TRICS database it is estimated that the established use generates 103 two-way movements per day. The Appeal Scheme will generate 81 two-way movements and will therefore comprise a 21% reduction in vehicular trips over the existing pub/hotel land use.

Visual Impact

- 9.16. Notwithstanding the reduced quantum of parking detailed above, the consolidation of parking within the core of the site associated with the Appeal Proposals will also bring about an improved landscape character to the eastern edge of the site. The eastern boundary of the site currently comprises a track providing access to the pub car park and Plum Tree House as well as a run of car parking spaces. The Appeal Scheme proposes a densely planted buffer strip at the eastern boundary of the site which will serve to shield the site from longer distance views and soften the impact of the development at this sensitive countryside 'interface'. These amendments to the proposal were made at the explicit request of the LPA's Landscape consultee and are considered to constitute betterment of the pre-existing relationship of the site with the countryside edge.

C) Landscaping & Access Alterations

- 9.17. Reason for Refusal 2 states that, amongst other things, the proposed landscaping and access alterations would amount to overdevelopment of the site.
- 9.18. As originally submitted, the Appeal Scheme proposed a suite of carriageway and visibility improvements to enhance access onto and along Huckers Lane. The principal intervention was a widening of the existing Huckers Lane carriageway to 4.8m for the first 10m to allow two cars to pass at the junction and improve manoeuvrability.
- 9.19. In concert with the Council and its consultees the package of proposed highways interventions was iteratively pared back to only those that are functionally required to facilitate the development. As shown on the Site Plan submitted in August 2021 (Rev G) there is no longer any proposed widening of the public highway in order to maintain the local road hierarchy and the rural nature of Huckers Lane.
- 9.20. Unfortunately, the amendments detailed on the Site Plan were not carried through the final iteration of the Appellant's Landscape Plan which still show widening of Huckers Lane. This is an error and widening of Huckers Lane at the junction of the High Street is no longer the intention of the Appellant (as stated in correspondence pre-dating the consent – Appendix 10) as was clearly explained and understood by Members at the committee meeting. I have therefore included within the appeal documents and amended landscape plan (Appendix 11) reflecting the detail of the site plan, but equally this minor inconsistency between drawings can also be regularised through the submission of common landscape condition details. Indeed, the Council's Landscape Officer (comments dated 02/09/21) recommended conditions requiring the provision of the following:
- Hard and Soft Landscape Treatment
 - Planting Schedule
 - Tree protection

- SuDS Details
- LEMP

9.21. Whilst there will be some perceived widening of the access into the site via Huckers Lane, this is simply a product of the hedgerow being trimmed back to create the necessary visibility splays and ensure safe access and egress and would equally be required for the established use. The visibility splays are achieved entirely on land owned by the Appellant and comprise works that could readily be undertaken without consent. It must be borne in mind that this is an existing access for which there is an existing quantum of vehicular traffic. The Appeal Proposal comprise a 21% reduction in vehicular trips over the existing pub/hotel land use.

D) Overdevelopment and Landscape Character

9.22. As per the wording of Reason for Refusal 2 it is alleged that, cumulatively, the new building, additions, increased parking provision, landscaping and access alterations, would amount to overdevelopment of the site and would therefore have an unacceptable impact on the landscape character of the area and the Conservation Area.

9.23. Design, Landscape and Heritage considerations are covered at paragraphs 7.22-7.30 of the officer's Committee Report. Key extracts include:

*'The Queens is a non-designated heritage asset within the Selborne Conservation Area and is located close to a number of listed buildings. The former pub is of local historic interest and it contributes to the character and appearance of the conservation area. The contribution the former pub makes derives from its form, materials and elevational treatment. **The proposed redevelopment of the pub for apartments would maintain these elements of significance, thus preserving the character and appearance of the conservation area.**' (Para 7.25)*

*'The refurbishment of the former pub, the removal of the unsympathetic single-storey additions and tarmac hardstanding, and **the introduction of traditional boundary treatments would be an enhancement to the conservation area.** The conversion of the barn for residential use would see this building given a new lease of life and ensure its retention and long-term conservation.'* (Para 7.26)

*'It is considered that the proposals would **preserve and enhance the character and appearance of the Selborne Conservation Area** and the setting of nearby listed buildings in accordance with policies SD4, 5, 13, 14 and 15 and the national policies contained within the NPPF and Town and Country Planning (Listed Buildings and Conservation Area) Act (1990).'* (Para 7.30)

9.24. It remains the Appellant's case that the development proposals are well designed and entirely sympathetic to their locality. The landscape interventions are acknowledged within the Officer's Report to be an enhancement over the existing appearance of the site and, as such, there is no demonstrable harm.

9.25. Policy SD15 requires development to conserve and enhance the historic environment; preserve and enhance the significance of listed buildings and their setting; and preserve or enhance the special architectural or historic interest, character or appearance of conservation areas. As acknowledged by the Officer the Appeal Proposal achieves those express aims.

10. Planning Conditions

- 10.1. A list of draft conditions was included within the LPA's Committee Report (Pages 32-36). The Appellant would have no objection to those conditions being applied to the Appeal Proposal, should the Inspector be minded to allow the Appeal.
- 10.2. The Appellant reserves the right to review and comment on any additional conditions proposed by the Council in their Statement of Case.

11. Conclusions

- 11.1. The amended development proposals have come as a direct response to the comments of the SDNPA in regard to the previous schemes and the comments of the Planning Inspectorate in dismissing the appeal. As detailed in this Statement, the proposals are in full compliance with Policies SD23 and 43 which seek to protect the National Park's tourist accommodation and community facilities.
- 11.2. As detailed within this Statement, the proposals have been designed to meet a demonstrable need within the village and the National Park, be truly complementary to the existing businesses within the village and deliver a valuable resource for the local community. The responses to the public consultation questionnaire demonstrate an overwhelmingly positive endorsement for the application scheme from the local community (87% in favour).
- 11.3. The relocation of the Gilbert White Museum Field Study Centre into the former Queens and the creation of a tap room are proposed to deliver financial sustainability and greater resilience for the museum, which are key to its ongoing operation. Centrally, the development will extend the museum's capacity to deliver on its aims and charitable objectives by expanding the museum's education programme.
- 11.4. The proposed development would benefit the village and the wider national park by increasing opportunities for visitors to enjoy and stay within the National Park, leading to an increase in understanding of the special qualities, nature and history of the Park and of Selborne. This will benefit school-aged children through school groups visiting the education centre, and facilitate the provision of evening and weekend educational and wellbeing events that in turn would draw adults and families, and together with the provision of the tourist accommodation would also lead to an increase in localised spending.
- 11.5. In design terms the scheme offers a holistic approach to the redevelopment of the site. It would preserve and enhance the character and appearance of the Selborne Conservation Area and the setting of nearby listed buildings. The development would have no adverse impact on the amenities of neighbouring residents and the landscaped nature of the site would be retained through the retention and provision of trees and hedgerows. Each respective use would have sufficient parking in accordance with the adopted parking standards.
- 11.6. The barn conversion would make efficient and effective use of the land and would provide a sustainable form of development, contributing positively (albeit modestly) towards the housing needs of the District in providing a new residential dwelling.
- 11.7. The Appellant submits that, contrary to the two reasons for refusal stated in the Council's Decision Notice:
- The proposals would not be a loss but rather a reconfiguration of tourism accommodation and community facilities. The Appeal proposals are inclusive, available, accessible and of equivalent or better quality to the former use in accordance with Policy SD43.
 - The scale, form and massing of the Appeal Proposals has been iteratively worked up in close association with the Council's Design, Landscape and Heritage officers and its location and architectural detailing is a direct response to the Council's comments

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- The Appeal Proposals will make a positive contribution to the character and setting of the village whilst supporting and enhancing the function of this positive amenity for the community.
- the development proposals are well designed and entirely sympathetic to their locality. The landscape interventions are acknowledged within the Officer's Report to be an enhancement over the existing appearance of the site and, as such, there is no demonstrable harm
- The Appeal Site will become a community hub offering multiple benefits to a much wider demographic within the local community. The range and flexibility of uses offered will far eclipse the previous use.
- There will be no net increase in parking provision. In actuality there will be a net decrease in car parking spaces associated with the Appeal Proposals (20 spaces compared to the 24 existing).
- The highways improvements on Huckers Lane have been pared back to only those strictly necessary to achieve the development (i.e. visibility splay into the site). There is no longer any widening of the highway in order to maintain the local road hierarchy and the rural nature of the Lane itself.

11.8. For the above reasons, the refusal of planning permission was unwarranted and unsupported by National and Local Planning Policy. The Inspector is respectfully asked to allow the appeal and enable the beneficial development to proceed without further delay.

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