

13 April 2017

**Delivered by email**

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Dear Mr Eaves

**MANOR HOUSE, EDWARD GARDENS, OLD BEDHAMPTON, PO9 3JJ**

**REPRESENTATION SUBMITTED ON BEHALF OF THE MANOR TRUST**

**PLANNING APPLICATION REF: APP/17/00223 AND APPLICATION FOR LISTED BUILDING  
CONSENT REF: APP/17/00224**

We act on behalf of The Manor Trust (Bedhampton), in submitting the following representation, which seeks to **object** to the applications for planning permission (ref: APP/17/00223) and listed building consent (ref: APP/17/00224) at the above property. The applications propose:

*"Construction of 1No. four bedroom detached dwelling and detached triple garage and access from Edward Gardens, with associated soft and hard landscaping"*

The comments contained herein should be read in the context of both applications, and duly attributed to their consideration.

## **Background**

As you may be aware, our client is the previous owner of the application site (the Manor House). The Trust sold the property to Mr L Peach (on whom the applicant has served notice) in November 2016.

The Manor Trust was founded as a charity in 1967 (when Ms Hoy purchased the Manor House) out of a need to house and support elderly people who wished to remain living in the village of Old Bedhampton. The charity was also concerned that a number of historic properties around the village were being

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targeted for inappropriate development and were in danger of being lost. Thereby, the Trustees are committed to maintaining locally important buildings whilst providing comfortable accommodation for the elderly, in unique surroundings.

During The Trust's ownership of the property for nearly 50 years, the Manor House provided sheltered accommodation for the elderly. Due to a lack of local demand the Manor House was closed to residents in October 2013 and put up for sale. At the time of the sale in November 2016, it was understood that the Manor House would be used by its new owners as a single residential premises for their family home and that the purchaser's had sufficient funds to undertake the required remedial works. The Trust is therefore concerned by the current proposals, which seek to sub-divide the plot and are considered to be detrimental to the historic property overall.

The Trust still maintains ownership of The Elms (operated as 5 no. self-contained apartments suitable for those recently retired) and The Lodge (operated as a residential care home since 1981), at Lower Road in Bedhampton.

## **Planning Context**

The relevant local planning policy, to be used for the determination of the applications, is the adopted Havant Borough Council Local Plan, comprised of the Core Strategy (CS) (March 2011) and the Allocations (July 2014). In addition, there are several themes from national policy and guidance (the NPPF and NPPG) which are of relevance to the consideration of the proposals.

A review of the adopted Proposals Map for Havant Borough confirms that the application site is located within the Old Bedhampton Conservation Area. The Manor House (and its curtilage) is designated as a listed building (Grade II) and the Irish Yew Tree within the grounds of the Manor House is the subject of a Tree Preservation Order (ref: 0496, tree number T6). The site is not allocated for a specific purpose.

The following planning policy and guidance is therefore relevant to the consideration of the proposals:

- Paragraph 17 (Core Planning Principles), Sections 7 (Requiring Good Design) and 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (March 2012);
- National Planning Policy Guidance – Conserving and enhancing the historic environment (April 2014), Design (March 2014), and Determining a planning application (March 2014);
- Policies CS9 (Housing), CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough), CS16 (High Quality Design), and CS17 (Concentration and Distribution of Development within the Urban Areas) of the adopted Core Strategy, and DM8 'Conservation, Protection and Enhancement of Existing Natural Features' and
- Havant Borough Council Borough Design Guide Supplementary Planning Document (December 2011).

Against this background, and having reviewed the proposals as contained within both applications, we set out the following comments (under headings as relating to the pertinent issues), on behalf of our client.

## Heritage Impact

The Manor House is an attractive Grade II listed building (listed in 1976), which is of national importance and special interest. It forms a significant feature locally, within the Old Bedhampton Conservation Area, and provides a valuable contribution to its character and form. It is a large detached house with a 16<sup>th</sup> Century core, which has been altered and extended over time. The majority of its elevations are comprised of red brick with yellow brick dressings, with some stuccoed features on the west and east elevations.

A Tudor boundary wall (dating back to c. 1540s or 1550s), which is also grade II listed (in 1984), forms the eastern boundary of the garden. This structure, like the house itself, is also nationally important and of special interest, relative to its Grade II listing status. The houses within Edward Gardens were constructed in the 1960s, within the former grounds of the Manor House. Whilst this would have altered its immediate setting, the position of those houses means that the more rural relationship of the Manor House, and its Tudor boundary wall, relative to the open space to the east (Bidbury Mead), has remained.

The NPPF defines the significance of historic buildings under several headings: archaeological, architectural, artistic, and historic. It goes on to note that the significance of a heritage asset is derived not only from its physical presence but also its setting. In their report dated February 2016, Architectural History Practice assessed the Manor House as having 'medium to high value' (significance) across these definitions. Furthermore, the Council's Conservation Officer has noted that the Manor House "has a strong architectural significance, and fully merits its listing".

In determining planning applications, the NPPF confirms that local planning authorities should require an applicant to describe the significance of any affected heritage assets (para 128), with the level of detail being proportionate to the importance of the asset so that the potential impact of the proposal can be understood.

Policy CS11 seeks to protect and enhance the Borough's special environment and heritage assets. Criterion 4) of the policy specifically refers to 'Conservation Areas' and 'Listed Buildings'. Having considered the proposals it is clear that the further subdivision of the Manor House grounds and its separation from the listed wall would be detrimental to its setting, along with the wider character and appearance of the Conservation Area as a whole. Whilst it is recognised that there has been subdivision of the original grounds in the past, the majority of this was consented before the designation of the Conservation Area and listing of the main building and wall. With the higher level of protection now afforded to the site and the detrimental impacts of the specific proposals, it is considered that both applications are clearly contrary to the objectives of policy CS11 and Section 12 of the NPPF.

## High Quality Design

Policy CS16 requires new development to achieve high quality design, which is appropriate to the site and its surroundings. The application proposals are seeking to construct a large two-storey house and substantial triple garage in the remaining garden area of the existing Manor House. This would create an uncomfortable, cramped relationship with the Manor House and the neighbouring residential properties to the north and south, by virtue of the close proximity of buildings, excessive building bulk adjacent to the boundaries and backland location. The design of the new house does not appear appropriately subservient to the Manor House or respect the special character of the listed house and wall. The proposed garage building would also appear particularly dominant in this location, by virtue of its excessive height and scale. The design and layout of the proposal is therefore considered to be contrary to criteria 1-4 of Policy CS16 and Section 7 of the NPPF.

In addition, paragraph 5.27 of HBC's Design Guide SPD highlights the issues of 'overlooking, noise and traffic disturbance, loss of amenity, cramping and adverse impact on local character' that can result from backland development. It is considered that these issues are also relevant to the proposals and further highlight why it is unacceptable in this location.

## **Tree Impact**

The existing Irish Yew Tree adjacent to the western boundary of the application site provides an important visual contribution to the setting of the Manor House and the Conservation Area, which is recognised by the TPO. Policies CS11, CS16 and DM8 support the protection of TPO trees and state the need to protect and enhance the Borough's important landscape features.

The application proposes a new property immediately east of the Irish Yew Tree, which would be defined by a new garden wall. The proximity of the plot and the new house to the tree would be detrimental to its settings and undermine its important visual contribution to the Conservation Area. The proposal would also result in an uncomfortable relationship between the tree and the new living accommodation as a result by virtue of the potential for overshadowing and loss of outlook. This relationship would be likely to lead to future pressure to prune or even fell the tree. The relationship of the proposal with the existing tree is therefore considered to be contrary to the tree protection objectives of policies CS11, CS16 and DM8.

## **Housing Supply**

Policy CS9 sets out Havant's housing requirement over the plan period 2006 to 2026 and provides a presumption in favour of appropriate housing development. Policy CS17 encourages the best use of urban land in new development. These policies accord with the NPPF's presumption in favour of sustainable development. Whilst the proposal would undoubtedly provide a new dwelling in an urban location, this would be achieved at significant cost to a sensitive historic setting. The harm caused by the proposal would outweigh the benefits on offer and would therefore be contrary to the local and national policies stated above.

## **Other issues**

Paragraph 5.5.1 of the Design and Access Statement states that 'Monies received from selling the sub-plot could also be used by the vendor to fund renovation of the Listed Manor House'. This statement is unsubstantiated by any viability information or binding mechanism to the works and cannot therefore be weighed in favour of the proposals in the overall planning balance.

## **Summary**

In summary we consider that the applications for planning permission and listed building consent should be refused for the following reasons:

- The development would create a harmful impact on the setting of the Grade II Listed Manor House, Tudor wall and the appearance of the Conservation Area contrary to the objectives of policies CS11 and CS16.
- The proposals represent an inappropriate sub-division of the plot, which would be out of character with the Conservation Area and wider area, and be detrimental to the amenity of surrounding occupiers contrary to policies CS11, CS16 and Havant's adopted Design Guide SPD.

- The proposals would constitute a poor design, by virtue of the cramped layout and excessive building height and scale, close to boundaries and to the detriment of the character of the area and the amenity of the neighbouring properties. This would be contrary to the objectives of policy CS16.
- The proposals would result in an unacceptable relationship between the new house and a protected tree that would create future pressure for the tree to be pruned or felled. This would be contrary to the objectives of policies CS11, CS16 and DM8.

We trust that our representation has been submitted within the statutory timeframe as required, and will be taken as duly made and thereby appropriately considered during the determination of the above applications. We trust that our comments assist your consideration, however please do not hesitate to contact us if you require any further information.

Yours sincerely

Hannah Pearce  
**Senior Planner**