

DELEGATED OFFICER REPORT:**Application Ref:** F/23/95735**Site Address:** Old St Mary's Churchyard, Church Road, Bishopstoke, SO50 6LR**Case Officer:** Clare Martin**Description:** Relocation of Bishopstoke War Memorial including a new wall for memorial plaques, reinstatement of footpath and associated works

Particular Site Constraints?	Yes ☒	No ☐
• Inside the urban edge • Conservation Area – Bishopstoke • Site of Archaeological Importance • Historic Park and Garden • Adjacent to Listed Buildings (Grade II Itchen House to the South)		

Planning History?	Yes ☐	No ☒
Various tree works, but no relevant planning applications		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>2 letters of objection</u> • Encroachment into green space within Conservation Area • The reinstatement of the path is a waste of money. • Potential target for vandalism • Not aware of need to move memorial and this has not been publicly discussed by Parish Council. • Need to wait for applications are Mellor House and Memorial Hall to be determined before considering current application. • Against moving the memorial as local people had input into its design and siting. <u>Local Planning Authority Response</u> • The impact upon the conservation area is considered in the assessment section. • The funding and reasons for moving the memorial and reinstating the path are not material planning considerations. • There is no evidence that the proposal is likely to attract anti-social behaviour. • While it is preferable for Bishopstoke Parish Council to undertake a public consultation before applying for planning permission there is no legal planning requirement for them to do this. • Every planning application has to be determined on its own merits and it is not possible to delay determination of the current proposal until other applications have been decided.		
Built Heritage Consultant:	<u>No Objection</u> This site within the Bishopstoke Conservation Area and adjacent to a listed building - Itchen House and its Coach House, which is hard up against the southern boundary of the old churchyard. I have no objection but suggest having the new wall higher than the existing in order that the plaques are above the normal wreath-		

	damaging level which would have the added benefit of being easier for older people to read!
Tree Officer:	<u>No Objection</u>
Ecology Officer:	<u>No Objection</u> This site is adjacent to the River Itchen SAC, SSSI. The site photos show the remains of St Mary's Church as a raised grassy platform in a park of mown amenity lawn with trees. The site plan shows the new memorial position but not the existing position. A CEMP will be required to ensure that proposed works do not pollute the River Itchen and any soil (source of sediment) on site is covered so it cannot run off into the river. All refuelling must be done on absorbent mats away from the river. There are records of stag beetles, bats and water voles near this site and tree roots in the immediate area. Precautionary working methods must be included in the CEMP. I support the proposal to provide a flower bed around the plaque wall as a biodiversity enhancement and planting of additional flowering plants to attract pollinators over as long a flowering season as possible.
County Archaeologist:	<u>No Objection</u> The proposal sits within the churchyard of a medieval church and as such it is an archaeologically sensitive location. However, I note that the works will not be of any great depth and so I anticipate that human remains within graves will not be encountered or it will be possible to leave them undisturbed by the works. On that basis I would not raise any archaeological issues. I note that the church yard has been used for burial over many centuries and even if graves are not encountered it is very likely that any ground disturbance will bring forth human bones, bone fragments or teeth. These should not be left exposed, or unattended on the surface. This is not an archaeological matter, but I trust that the Parish Council as applicant will make provision to ensure that any human remains, albeit fragmentary, are appropriately dealt with.
The Gardens Trust:	No response
Parish Council:	No response

Site Visit:	Yes ☒	No ☐
Details: Carried out 24/1/24		

Pre-commencement Conditions:	Yes ☐	No ☐
Details: Received email from applicant agreeing pre-commencement environmental management plan condition.		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The site also lies within a Conservation Area and Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".)

Policy:

National Planning Policy Framework Planning Practice Guidance

Development Plan:

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 (sustainable development) and S2 (approach to new development); Development Management policies DM1(general development), DM11(nature conservation), DM12 (heritage assets) & DM34 (recreation and open space)

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals.

Proposal:

The proposal is to relocate the existing War Memorial (comprising plaque and base) to Old St Mary's Churchyard and to reconstruct the existing plaque wall. The structures have to be moved from its current position at Memorial Hall as the building is due to be demolished.

The planning application also encompasses:

- Laying York flag stones for the memorial to stand on
- Installing decorative wrought iron stands
- Reinstating a previous rolled gravel path (north to south) connecting to the war memorial and linking to the existing path.

Assessment:

Principle

The site is within the urban edge where the principle of development is acceptable, subject to the detailed matters according with the relevant planning policies.

Character, Appearance and Impact on the Conservation Area

Policy DM1 requires development to take full and proper account of the context of the site including the character and appearance of the locality and must be well integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views.

The application site adjoins Itchen House to the South (which is a Grade II Listed Building) and is within Bishopstoke Conservation Area. Policy DM12 allows development where

they do not detract from the significance or special interest of heritage asset and sustains and enhances its special character and qualities.

The war memorial is an existing feature within Bishopstoke conservation area, currently sited close by at Memorial Hall. The structure is being moved and enhanced with the addition of new surfacing and decorative stands. The existing plaque wall will be reconstructed next to a new path, which will run north to south across the parkland connecting to the wider footpath network.

The siting of the memorial at Old St Mary's Churchyard is considered appropriate as it provides a natural and tranquil setting for private reflection. The memorial only takes up a small section of the open space, retaining the area of green space and trees at the heart of the conservation area.

Ecology

Policy DM11 states that development will not be permitted if it is likely to have a direct or indirect adverse effect on priority habitats, protected or priority species, or on the local ecological network and seeks to promote an overall biodiversity net gain.

The proposed relocation and improvement to the war memorial involves limited work, which will not directly or indirectly adversely impact upon a priority habitat or species. A pre-commencement condition will be imposed to ensure that sediment and other contaminants are dealt with during the works and precautionary working methods are in place to minimise impacts on wildlife.

The scheme also includes planting a new flower bed around the plaque wall, which will attract pollinators and would result in a biodiversity enhancement.

Other Considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- The memorial is to be sited within a medieval churchyard, which is an archaeologically sensitive location. However, the proposed works are not to any great depth and no archaeological issues have been raised by the County Archaeologist.
- The small development is a reasonable distance from residential properties and will not result in an unacceptable impact to their amenity in terms of loss of privacy, light or outlook.
- There are no likely significant impacts on the SPA.

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 (1) states:

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

It is considered that this application does not raise any equality implications.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and emerging plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved, Policies S1, DM2 and DM3 of the Adopted Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Conclusion:

Recommendation:

PERMIT ☒**REFUSE** ☐

Comments ...