

Report to	Planning Committee
Date	19 January 2012
By	Director of Planning
Local Authority	Lewes District Council
Application Number	LW11/1250/NP
Application	Replacement car/coach parking area including new gate in wall
Address	The Opera House, Glyndebourne, New Road, Ringmer, East Sussex BN8 5UU
Purpose of Report	The application is reported to Committee for a decision

Recommendation: that listed building consent is refused for the reasons set out in paragraph 10.1 of this report

1. Site Description

- 1.1 Glyndebourne Opera House together with the associated buildings and main house is located between Ringmer and Glynde adjacent to New Road which links the two parishes. The buildings are within a dip in the landscape with views in from the surrounding rolling chalk grassland.
- 1.2 The main house was built in the 15th century and subsequently altered, most significantly in the late Victorian period when it was clad in red brick and extended. It is a grade II Listed Building. The front elevation faces onto New Road.
- 1.3 Behind the house is the Opera House and ancillary buildings with a garden area to the south east used by visitors for picnicking.
- 1.4 There are currently 2 accesses into the Opera site as a whole. The most northerly is to the main parking area located to the north-east side of the Opera House via an internal road leading round the north of the complex of buildings which support the operation of the Opera House. A second road leading to this access and the car park loops through the buildings and is used by chauffeurs taking their vehicles from the drop off point up to the car park and back. The second access is forked and leads to a tarmac hard-standing in front of the main house via a tarmac drive. There is a metre high beech hedge all along the roadside boundary and a metre high metal-work gate across the drive beyond the fork. The land on either side of the drive is laid to grass.
- 1.5 The area to the south east of the main house which is at a slightly lower level than New Road (which rises up at this point to the south) was enclosed in the early to mid 20th century by a brick wall to form what is known as the 'Wild Garden'. There is a pair of oak gates within the wall. These gates are 3.06 metres wide and secured by two piers with stone finials on either side. This pair of gates originally served a small garage. As the wall and gates are in the curtilage of a listed building they enjoy the same protection as formally listed building through 'curtilage listing'. A yew hedge was originally planted inside the wall. This has now evolved into a line of trees. There are number of specimen trees in the centre of the garden including 2 mature holm oaks.

- 1.6 The Glyndebourne Festival is held each year at the house and there is a separate company Glyndebourne on Tour which holds performances off site. In addition there are community and outreach events.
- 1.7 Glyndebourne operates a private coach service to and from Lewes railway station meeting connecting trains on performance nights. To avoid the congestion in the main car park when the performance finishes these coaches currently drop off and pick up passengers in front of the main house and sometimes park there for the duration of the performance. Chauffeur driven cars and taxis also use this hardstanding in front of the house to pick up and drop off passengers. There are currently 3 collections by coach per performance.

2. Relevant Planning History

- 2.1 The first Opera House was built at Glyndebourne 1934 in the gardens of the existing Listed House. It was replaced in 1964 with the Opera House that currently stand on the site. (planning permission ref LW/90/1337 including listed building consent).
- 2.2 There have been a series of applications for alterations to the car park (LW/95/1229, LW/97/0809, LW/97/1056, LW/97/1739).
- 2.3 A wind turbine has recently been granted consent and is due to become operational shortly.
- 2.4 Planning application LW/11/1250/NP for replacement car/coach parking area including new gate in wall is pending consideration (item 6 on this agenda).

3. Proposal

- 3.1 The application is for listed building consent for the removal of approximately 1 metre of the curtilage listed wall which encloses the north west side of the 'Wild Garden' to increase the width of the existing timber gates. A replacement gate of similar design and a rebuilt pier and finial in the same style and materials (salvaged where possible) are proposed.

4. Consultations

- 4.1 **Glynde and Beddingham Parish Council:** no objection subject to screening with infill planting; coaches only turning right on exit; additional tree planting in grounds; protection for wall from vehicles and plant.
- 4.2 **Ringmer Parish Council:** is not satisfied that sufficient need for this proposal within the SDNP and the setting of a listed building has been justified and in any event objects to the extent of tree loss and to the increased visibility of such vehicles that would result, there being less prominent locations that might have been considered. In the event however that the Planning Authority resolved nevertheless to grant permission, it would be requested that this be subject to amendments and conditions to ensure an increase in year round screening along the road frontage with more substantial trees and hedging, appropriate replacement of all trees lost, and retention of the wall (with substantial physical protection during the course of development).

5. Representations

- 5.1 **South Downs Society:** holding objection - concern that this proposal will involve the extension of the parking area into the wild garden which with the driveway and gardens to the front of the house and the wooded area beyond the main access road into the opera site provides an important buffer between the site, New Road and the extremely attractive downland pasture opposite which ought to be maintained. However, it would be better for coaches to be parked elsewhere than on the house drive and we reluctantly accept that the wild garden appears to be the only reasonable choice given its location. We would certainly not wish to see coaches parked in a more open aspect such as the existing visitors' car park at the rear of the site. Nevertheless we are not persuaded that the wild garden should play host to 36 additional car parking spaces. Whilst it may be acceptable to provide a small number of such spaces we would only be prepared to countenance the total number proposed if a similar number were removed from the present visitors' car park, preferably

along its northern edge. As previously stated we would have wished to return the upper (northern) half of the area to grass leaving the southernmost section sheltered from view to some extent by the existing low buildings. The removal of an agreed number of spaces from this upper rank would be an important planning gain in landscape terms which would render the current proposals more acceptable and more in keeping with the Sandford Principle.

5.2 4 letters of objection making the following points

- loss of rare species of trees – holm oaks and yew;
- change in character when viewed from adjacent hills and impact on views and landscape and natural beauty of the SDNP;
- contrary to policy
- affect on AONB;
- not sustainable
- out of character
- overdevelopment
- too little space between the car park and road for adequate screening planting
- car park to the rear should be extended;
- there should be requirement to reduce use of private car;
- there are usually only 1-2 coaches parked in front of the house;
- only 3 of 4 chauffeur cars park in visitor car park therefore 36 spaces excessive.

6. Planning Policy Context

6.1 PPS5 Planning for the Historic Environment is relevant to this application

6.2 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area in the South East Plan and the Lewes District Local Plan 2003.

6.4 The South East Plan was adopted by the Secretary of State on 6th May 2009. The Coalition Government's revocation of the Plan in July 2010 has been found to be unlawful so the Plan remains part of the development plan at this time but the intention to revoke could be a material consideration. The following policies are relevant to this application:

- C2: The South Downs - states that the purposes of designation should be a material consideration in the making of any planning decision that would affect it.
- BE6 Management of the Historic Environment

6.4 Lewes District Council is in the process of preparing its Local Development Framework, which will be jointly adopted by the South Downs National Park Authority until our own Core Strategy and Policies are in place. Certain policies of the adopted Local Plan have been 'saved' via Direction of the Secretary of State, under the provisions of Paragraph 1(3), Schedule 8, Planning & Compulsory Purchase Act 2004 and these have been inherited by the South Downs National Park Authority as part of the Development Plan for that part of the National Park which lies within Lewes District Council. The Lewes District Local Plan policy relevant to this application is H2(b) relating to listed buildings.

7. National Park Purposes

7.1 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence.

8. Planning Assessment

8.1 Under the provisions of Section 66 of the Listed Buildings and Conservation Act 1990 the main issue is whether the proposal preserves or enhances the curtilage listed wall. PPS5 policy HE9.1 sets out a presumption in favour of the conservation heritage assets. This is because historic fabric is irreplaceable. A copy or replica does not have the same value or significance as the original. This proposal is to remove the existing timber gates and approximately 2 square metres from a wall which are protected through curtilage listing. This would be less than substantial harm but nevertheless under the provisions of PPS5 policy HE9.4 this harm needs to be weighed against the public benefit of the proposal and the significance of the heritage asset. Glyndebourne Opera house is acknowledged as a significant contributor to the cultural heritage of the South Downs National Park. However, this proposal is not to support the Opera House as such but to address amenity issues from the effect of the activity on the occupants of the house. The activity which currently takes place in front of the house is considered by the applicant to have a harmful impact on the listed building and on that basis the harm to the wall and gates is considered by the applicant to be justified. However this activity in itself is not detrimental to the setting of a listed building, particularly as it is relatively infrequent and of short duration. In contrast the proposal will result in the permanent loss of historic fabric and alterations to the existing access which would adversely affect the symmetry and the formal setting of the house.

9. Conclusion

91 The proposal will result in the permanent loss of historic fabric which will neither conserve nor enhance the curtilage listed wall. This harm is not outweighed by any public benefit. As such the proposal is contrary to PPS5 policy HE9.4 , policy BE6 of the South East Plan and policy H2(b) of the Lewes District Local Plan.

10. Recommendation

10.1 It is recommended that listed building consent be refused for the following reason:

1. The proposal will result in the permanent loss of historic fabric and will neither conserve nor enhance the curtilage listed wall. This harm is not outweighed by any public benefit. As such the proposal is contrary to PPS5 policy HE9.4 , policy BE6 of the South East Plan and policy H2(b) of the Lewes District Local Plan.

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equalities Act 2010

13.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

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Appendices
SDNPA Consultees

1. location map
Head of Planning; LDF Policy Lead; Monitoring Officer & Senior Solicitor.

Background Documents

Letters of representation from members of the public

Observations of East Sussex County Council Highway Authority and Archaeologist, Glyne and Beddingham, and Ringmer Parish Councils

PPS1, PPS5, PPS7, PPS9, PPG13

Circular 20/010

Lewes District Local Plan 1998

South East Plan 2009