

Report to	Planning Committee
Date	19 January 2012
By	Director of Planning
Local Authority	Lewes District Council
Application Number	NP/2011/1252/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 planning permission 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 from both the public rights of way and permissive footpaths.
- 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 attending the performances to picnic.
- 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. Another internal 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 other 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 a 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. The number and variety of tree species within the garden contrasts with the open character of the surrounding downs and the yew trees on the boundary help to define the separation between the domestic curtilage and farm land in long and mid-range views.

- 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. Under planning permission and listed building consent LW/90/1337.
- 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 Planning permission LW/07/0077 for a wind turbine was granted on appeal on 10.07.08 .
- 2.4 Application LW/11/1252 for listed building consent for replacement car/coach parking area including new gate in wall is currently pending consideration at item 7 on this agenda.

3. Proposal

- 3.1 The application is for a new parking area in the 'Wild Garden' to be used by up to 6 coaches and 36 cars in conjunction with the Opera House. It will require the removal of approximately 1 metre of the 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.
- 3.2 The proposal requires the removal of approximately one third of the trees within the 'Wild Garden' including unusual specimens such as the Ginkgo bilboa and most of the yew trees on the boundary next to New Road. Replacement planting of species yet to be agreed is proposed.
- 3.3 The car parking area would be surfaced with asphalt over 'Permavoid' – a modular system combining sub base and drainage storage function which would also protect tree roots of those specimens to be retained. A path is proposed from this parking area through to the surfaced with aggregate resin 'golden quartz'. The area of hardstanding would be 1460 sqm.
- 3.4 In addition an alteration is proposed to the most southerly access which leads to the front of the main house. One fork would be removed. The other fork would then be extended to the south to lead to the timber gates. The area of hard-standing in front of the house would be removed and replaced with Ecoblock material to give the appearance of grass (for emergency vehicles) and the width of the tarmac drive and consequently the iron work gates would be reduced in width of a design to be agreed. The route currently used by taxis and chauffeurs would then be used exclusively by disabled visitors
- 3.5 The application has been submitted with a Design and Access Statement, Heritage Statement, Ecology and Biodiversity Reports, Landscape and Visual Impact Assessment and Landscape Strategy with Arboricultural Impact Statement.

4. Consultations

- 4.1 **Highway Authority:** no objection but conditions required relating to position, gradient and construction of the access. surface water drainage, provision of parking area and turning space, , stopping up the existing access.
- 4.2 **East Sussex County Council Archaeologist:** no objection but condition required to secure a programme of archaeological works as the site is located within an area of

prehistoric activity, including settlement areas, human burials and an extensive field system.

- 4.3 **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.
- 4.4 **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 The following national policy documents are relevant to this application:
- PPS1 Delivering Sustainable Development
 - PPS5 Planning for the Historic Environment
 - PPS7 Sustainable Development in Rural Areas

- PPS9 Biodiversity and Geological Conservation
 - PPG13 Transport.
- 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.
- 6.3 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.
 - CC1: Sustainable development – states that the physical and natural environment of the south east is conserved and enhanced
 - CC6: Sustainable Communities and Character of the environment – requires new development to respect the character and distinctiveness of landscapes and use innovative design to create a sense of place.
 - NRM5 Conservation and Improvement of Biodiversity
 - T4 Parking
 - W2 Sustainable Design, Construction and Demolition
 - C4 Landscape and Countryside Management
 - 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. Lewes District Local Plan policies relevant to this application are:
- ST3 sets out the criteria for design respecting the local area
 - ST5 relates to disabled access
 - ST11 relates to landscape
 - H2(b) relates 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. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes. Government policy relating to national parks set out in PPS7: Sustainable Development in Rural Areas and Circular 20/10 is that they have the highest status of protection in relation to landscape and scenic beauty. Conservation of the natural beauty of the landscape and countryside must, therefore, be given great weight in development control decisions.

8. Planning Assessment

Impact on cultural heritage

- 8.1 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.

Landscape Impact

- 8.2 The Landscape and Visual Impact Assessment submitted with this application appears to have underestimated the impact of the proposal on the landscape character of this part of the South Downs National Park. It states that when seen from mid-long distance viewpoints around the site the works will have a neutral impact because of intervening tree screening. However the rural character of the area and of New Road and the cumulative impacts of small scale changes which extend urbanising influences such access, boundary treatment, lighting, signage, views of vehicles away from existing buildings have not been considered. The existing yew trees are considered by the applicant to present an 'untidy vista' when seen from the south. However the existing yews make a significant contribution to the landscape character in this area as well as defining the separation of the domestic curtilage from the farm land when the site is viewed from the surrounding downs. Moreover the information submitted in support of the application reveals that the coaches would be visible above the existing brick wall and would not be screened by new planting even if large trees were used. Furthermore the works to divert the access would alter the symmetry of the existing and result in a new road crossing the lawned area in front of the garden which would be visible particularly from the road approaching from the west. As such the proposal would neither conserve nor enhance the natural beauty of the South Downs National Park contrary to the first purpose of designation.

Biodiversity and nature conservation

- 8.3 PPS9 'Biodiversity and Geological Conservation' sets out the government's planning policies on biodiversity issues. The policies contained within the guidance seek to maintain, enhance and prevent harm to biodiversity and geological features. The proposal includes mitigation measures relating to bats and reptiles which would overcome any adverse impact on biodiversity.

Highway impact

- 8.4 The proposal will not result in any impact on highway safety subject to appropriate conditions.

Amenity of the occupiers

- 8.5 It is recognised there is an amenity impact upon the existing occupiers of the main house where the coaches currently wait. In view of the existing activity on the site resulting from the mixed use as opera house and dwelling, the occasional parking of coaches in front of the house for limited periods is not considered however to outweigh the harm of changing the use of the 'Wild Garden' from a private amenity area and the adverse impact on the landscape and heritage assets.

9. Conclusion

- 9.1 The proposal will neither conserve nor enhance the setting of the listed building, the curtilage listed wall, or the natural beauty and landscape character of the South Downs National Park.

10. Recommendation

- 10.1 It is recommended that planning permission be refused for the following reasons:
1. 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 which is a Grade II listed Building . This harm is not outweighed by any public benefit. As such the proposal is contrary to PPS5 policies HE9.4 and 10.1, policy BE6 of the South East Plan and policy H2(b) of the Lewes District Local Plan.
 2. The alteration to the access and the use of the 'Wild Garden' for coach parking and associated hardstanding and the removal of the yew trees on the boundary of the site will adversely affect the landscape character of this part of the South Downs National Park and neither conserve nor enhance the natural beauty, wildlife and cultural heritage of the South Downs national park contrary to the first purpose of designation, PPS7, policies C2, CC1 and C6 of the South East Plan and policies ST3 and ST11of 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	1. location map
SDNPA Consultees	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