

Report to	Planning Committee
Date	15 June 2017
By	Director of Planning
Local Authority	Chichester District Council
Application Number	SDNP/16/06305/FUL
Applicant	Mr Michael Bucks
Application	Change of use of field to overflow car park
Address	Park House Hotel, Bepton Road, Bepton, GU29 0JB.

Recommendation: That planning permission be refused for the reasons set out in Paragraph 10.1 of this report.

Executive Summary

The application site is an agricultural field across the road and to the north-west of Park House Hotel in a rural location outside of any designated settlement boundary and is sited at the northern end of Bepton village. The closest residential property, Green Meadows (a Grade II listed building) is located immediately to the south of the application site.

The application proposes the change of use of the field to form an overflow car park for 30 cars to be used by Park House Hotel on occasions when the demand for on-site parking within the hotel grounds exceeds capacity. Currently during times of peak parking, cars park along the grass verge along Bepton Road within the Conservation Area, which can lead to obstructions and does have a visual impact. A parking survey has been undertaken on behalf of the applicant which demonstrates that overspill parking is mainly during the day. However, the proposed overflow car park would also be required during events being held at the hotel such as weddings, which is understood to be for a maximum of three nights per month where the car park could potentially be used up to the hours of 23:30.

The previous refusal on the site (ref: SDNP/16/02291/FUL) was for a similar scheme, which was refused in relation to landscape harm and harm to the adjoining Conservation Area, harm to the residential amenities of the adjacent occupiers in terms of noise and visual impact and thirdly, due to insufficient information in relation to visibility splays and plans of works to the vehicular access.

Following receipt of consultee comments during the course of this application it is considered that the previous Highways concerns and harm to the visual amenities of the occupiers of Green Meadows could satisfactorily be overcome subject to the imposition of conditions. With regards to the generation of unacceptable noise levels, the previous refused application failed to incorporate a Noise Impact Assessment whereas one has been submitted during the course of the current application.

The previous scheme included minimal landscaping within the site save for planting and hedgerows along the boundaries. The current layout incorporates a larger parcel of land and includes additional landscaping within the site in an attempt to minimise the urbanising effect of the cars in this rural location. Unfortunately, the introduction of a more regimented hedging layout only serves to draw attention to a formal car park layout, in what is a sensitive and largely undeveloped rural location and it is considered that the proposal would still have an unacceptable landscape impact in this location.

Environmental Health believe that an objection cannot be raised subject to restrictive conditions preventing the car park being open from 2200 until 0700 hours, in order to not unduly impact on the neighbouring property. Concern remains however that the imposition of such a condition, in combination with other conditions would still be difficult to monitor and enforce and given the nature of the events being held within the hotel (such as weddings), the required closure of the car park at 2200 hours would be neither reasonable nor practical for the needs of the applicant, especially given that the hotel has a licence to sell alcohol well beyond 2200 hours.

Refusal is therefore recommended given that it has not been demonstrated that the car park could be provided without having an unacceptable impact on the landscape character of the area or on the amenity of the neighbouring property by virtue of noise pollution.

The application is placed before the Committee for consideration given the number of representations received and local interest in the scheme.

1. Site Description

- 1.1 The application site relates to an agricultural field located on the western side of Bepton Road opposite the Park House Hotel, which is sited at the northern end of Bepton village. Directly to the east of the site on the opposite side of Bepton Road is Southdown Cottage, which forms part of the hotel accommodation. To the north and west lie fields and to the south is a residential dwelling named Green Meadows, which is a Grade II listed residential property.
- 1.2 At present the northern and western boundaries of the site are bounded by wooden posts with a barbed wire fence and therefore these site boundaries are currently open. Immediately to the west of the western site boundary however is a mature row of trees. Along the southern boundary with Green Meadows there is a wire mesh fence with sections of hedging and a number of mature trees. The eastern boundary fronting onto Bepton Road comprises a barbed wire fence and is open to views into the site.
- 1.3 The site has an existing gated access along the eastern site boundary and the land levels fall gently from west to east. The application site lies just outside of Bepton Conservation Area, which is situated immediately to the south and east of the site.
- 1.4 The closest public right of way (PRoW) (footpath 900) is located approximately 400m to the west of the application site. At least two belts of mature trees are sited in the intervening landscape, acting as effective visual screening and therefore the application site is not particularly noticeable from the PRoW.

2. Relevant Planning History

- 2.1 The most relevant planning history for the site is as follows:
- 2.2 SDNP/16/02291/FUL: Conversion of small corner of field opposite Hotel to overflow car park. Planning permission was refused on 25.07.2016 for the following reasons:
 - The proposed overflow car park, by reason of its siting, design, size and the visual impact of parked cars would result in an incongruous form of development because it would have an unacceptable urbanising effect upon the rural character and appearance of the lane and surrounding area. The proposals would not therefore conserve or enhance the National Park landscape. The proposals would also fail to preserve or enhance the setting of the adjacent Conservation Area. The development is therefore contrary to saved policies RE1, BE6 and BE11 of the Chichester District Local Plan (1999), the National Planning Policy Framework (2012), the first purpose of the National Park, the South Downs National Park Partnership Management Plan 2013, and the English National Parks and the Broads: UK Government Vision Circular 2010.
 - The proposed overflow car park would be harmful to the visual amenities of the occupiers of Green Meadow and Southdown Cottage because of the siting, design, and size of the car park, its proximity to the dwelling, and visual prominence of parked cars in an otherwise rural landscape. In addition, the proposals would cause unacceptable noise and disturbance through the regular comings and goings of vehicles in this rural location. The development would therefore be contrary to policy BE11 of the

Chichester District Local Plan (1999) and the National Planning Policy Framework (2012).

- In the absence of sufficient information on the visibility splays and detailed plans of the works to the proposed access, it has not been satisfactorily demonstrated that the proposals would not prejudice highway safety. The proposals would therefore be contrary to policy TR6 of the Chichester District Local Plan (1999) and the National Planning Policy Framework (2012).
- 2.3 SDNP/15/05968/PRE: Convert approximately 50m x 50m grazing land to overflow car park. Pre-application advice was given. An in principle concern was raised over a proposed permanent car park on the site, in particular due to the resultant urbanisation of the site.
- 2.4 SDNP/08/02953/FUL: Temporary car park and compound in connection with the hotel works for approximately one year for contractor use. The permission related to the use of the current application site. Permission expired on 30 September 2009.

3. Proposal

- 3.1 Planning permission is sought for the change of use of a field that is occasionally used for grazing to provide an overflow car park for Park House Hotel. The proposal would provide additional parking for 30 cars to be used by the Hotel guests, visitors and staff. The 21 bed hotel has parking within the grounds of the hotel for 41 cars for visitors and staff, of which approximately 36 spaces are for visitors. However, the hotel attracts visitors for spa facilities, lunch and teas as well as for weddings, events and business meetings. It is understood that overspill parking is therefore predominantly required during the day to accommodate guests wishing to use the hotel facilities. It is at these times, when on-site parking capacity is exceeded, that cars park along Bepton Road in an ad-hoc fashion due to the lack of on-site parking.
- 3.2 The proposed car park would measure approximately 47 metres wide by 57 metres deep, which would be accessed via the existing access point from Bepton Road, whilst the existing metal field gate and post and wire fence would be retained. The existing hedgerows and trees along the field boundaries would be retained and enhanced with native planting and the existing grassland would also be retained on site. The mowing regime towards the field perimeters would be limited to allow the grass to grow into a natural tussocky form. The parking area itself however would comprise of closely mown grass and would be covered with a plastic grass reinforcement mat.
- 3.3 Low timber bollards are proposed for protection around the existing mature tree towards the centre of the site. The site would be enclosed by the existing barbed wire fence to the south and east, whilst timber post and wire fencing along the northern and western boundaries of the site is proposed along with proposed hedging. Along the southern site boundary, the existing vegetation is proposed to be enhanced with native mixed shrub planting and native tree planting to provide a visual buffer to the adjacent Conservation Area.
- 3.4 The principle differences between the current planning application and the previously refused application (ref: SDNP/16/02291/FUL) are as follows:
- The application site is larger in the current application when compared to the previous refusal to allow for additional landscaping. The number of parking spaces proposed would however remain unchanged;
 - Additional landscaping/planting has been proposed along each of the site boundaries including a landscape buffer along the southern boundary with Green Meadows;
 - The interior of the proposed car park would be partitioned by further hedgerows under the current application.

4. Consultations

4.1 Bepton Parish Council: Objection.

- Concern about cars parking on this stretch of road.
- The hotel should find a solution to the parking problem on the east side of the road, keeping the hotel complex self-contained.

- Alternative site 2, as mentioned in the submitted Planning Statement, would appear to be the favoured option with some adaptation.
- 4.2 **Environmental Health (Contamination):** No objection.
- 4.3 **Environmental Health (Noise):** No objection raised provided a condition could be attached restricting the use of the car park between 2200 and 0700 hours.
- 4.4 **Highways Authority:** No objection, subject to conditions.
- 4.5 **Ecology:** No objection, subject to a condition.
- 4.6 **Tree Officer:** No objection.
- 4.7 **Landscape Officer:** Holding objection pending further information.
- Concur with the principles of the mitigation strategy but believe its technical execution has not been designed as effectively as it could be;
 - No objection to the principle of the development and the principles of landscape design. However, whilst the proposed landscape treatment would be somewhat effective in mitigating potential effects it has missed some opportunities for further mitigation;
 - The submitted design includes elements which are unnecessarily out of character with its immediate rural setting;
 - Whilst the fieldscape in the vicinity of the application is bounded by hedgerows, the interior of those fields are not partitioned by further hedgerows. The proposal for the hedges to the side of the parking bays may accentuate the appearance of parking bays more than effectively disguising the grass-surfaced overflow parking area as a typical small field;
 - The landscape design proposes that the access should be a tarmac threshold with a double line of granite setts to the highway edge. Whilst other crossovers have granite setts none have a tarmac surface;
 - It appears illogical to limit the application to the extent indicated on the location plan. It is uncertain how the narrow sliver of left-over land to the west would be managed.
- 4.8 **Tourism Officer:** No objection.
- 4.9 **Historic Buildings Officer:** Objection.
- The resultant harm would be less than substantial to both the setting of the Conservation Area and the adjacent listed building. .
 - There would be some harm to setting (of listed building), though it would be at its worst in winter, when trees are bare and it would be 'less than substantial' in the parlance of the NPPF and medium to low on the absolute scale of impact. This harm and overall, the residual level of harm to the adjacent Conservation Area, would need to be balanced against any public benefits of the proposal, which seem to be the removal of unsightly – but spasmodic – verge parking within the Conservation Area itself.
 - Does low level periodic harm of this nature within the Conservation Area outweigh a degree of permanent harm to the paddock adjacent to the Conservation Area? This is the heritage equation to weigh up.
- 4.10 **Dark Skies Officer:** If recommending approval a condition should be attached to prevent external lighting or illumination of the parking surfaces.
- 5. Representations**
- 5.1 7 letters of objection including one petition containing 15 signatures:
- Previous reasons for refusal need to be taken into account;
 - Proposal would have an urbanising effect upon the rural character of the land and surrounding area;
 - Impact on visual amenities, particularly in the winter months given the proximity of the site to the boundary with Green Meadows;

- Light pollution if the scheme is permitted given that lighting will be required to ensure the safety of guests;
- Noise and disturbance and car headlights will point in the direction of the bedrooms of Green Meadows;
- Noise assessment states that 'no complaints have ever been received'. The reason for this is that the car park has only been used on a temporary basis to date;
- There are over 30 days of major events in the area, such as Goodwood Racing, Festival of Speed and Cowdray Gold Cup, all of which take place in the summer months. In August alone there are 5 days of racing at Goodwood and this does not take into account any additional functions the hotel may be hosting, such as weddings;
- It is understood that the hotel blocks out bookings for private parties for exclusive use for the whole of June and July and the first 2 weeks of September. This suggests the car parking issue in the summer months would be far more than 3 nights per month;
- Activities of the hotel should be contained within its own site or on adjacent land to the east of Bepton Road;
- Helicopters rarely have to land on the landing site at the hotel and therefore this should not be a sufficient reason to turn down a car park under option 2;
- Pedestrians crossing the road would present a traffic hazard, especially when farm machinery is passing by;
- The car park will become the parking area of choice and it will be difficult to be policed;
- The fact that the field has been used as a parking area for building contractors and for the occasional event should not be allowed to take precedence;
- Good agricultural land should not be lost;
- Pipistrelle bats are present in the village from early spring until the autumn. Slow worms are also present within the village. It is difficult to see how plastic grass matting would benefit reptiles. Barn owls exist in Bepton and matting would also not enhance the chances of Barn owls finding rodents.

5.2 A response to the representations was received from the applicant making the following points:

- The current proposals would have the least impact on the area and are the only practical and economically viable solution to the problem;
- There is not sufficient space within the hotel grounds to provide additional parking without compromising the facilities available;
- The current proposal seeks to strengthen the landscape buffer between the application site and the adjoining Listed building and as such the impact on Green Meadows would be insignificant;
- The car park has been designed to cater for the peak in demand, whereby the primary need for additional parking is during the afternoon;
- The car park would be clearly signed as overflow parking. Guests would naturally default to parking as close to the hotel as possible on hardstanding, rather than in the grassed overflow car park;
- It is unlikely that significant numbers of people not connected to the hotel would wish to park in the car park;
- The number of occasions when the overspill car park would be used during the hours of darkness would be limited;
- The proposed planting would include native evergreen species as well as densely branched shrubs which would screen views into the car park even in winter months;
- In order to ensure the continued success of the hotel, a solution to the widely accepted parking problem is required that does not compromise the facilities on offer;
- The proposals would not result in additional pedestrians crossing or walking down the road. Pedestrians are already crossing the road as they have to park on the roadside;

- The car park would not be tarmacked and any signage would be low-key and could be agreed with the SDNPA in advance.
- 5.3 Further information was received by a resident to counter the representations made on behalf of Park House Hotel:
- The comments in relation to the need for additional parking are subjective and have no bearing on the detrimental economic and financial effect to Green Meadows and the visual impact on the village;
 - With careful reorganisation to the current parking arrangements and adjacent areas, additional car parking facilities for the hotel could be accommodated on the hotel site with little detriment to the hotel and limited impact on the landscape;
 - The three options presented in the planning report are not the only options available as stated;
 - The visual impact on Green Meadows would be significant as outlined in the previous refusal reasons. The additional landscape buffer would be of little use for Green Meadows, particularly from the first floor windows and in the winter months;
 - Regardless of the time of day, the noise and disturbance to Green Meadows would remain the same;
 - Whilst guests may be encouraged to park at the hotel site, staff will be sent to the overflow car park and it is the staff who tend to arrive early and leave late thus extending the hours of use;
 - Once the car park becomes established there would be no way of controlling the casual use from people not connected to the hotel;
 - Using the car park until 2200 hours would introduce many concerns such as light issues, noise when the residents of Green Meadows may be trying to sleep together with how the restriction is policed. To rely on the hotel to lock the gate is never going to be an adequate solution;
 - The car parking nuisance would be moved much closer to Green Meadows than currently exists and the increased landscape buffer would not reduce the noise impact on Green Meadows;
 - The car park would be clearly visible from the first floor windows of Green Meadows in both summer and winter months;
 - If the car park were located on the hotel site, there would be no need for the hazard to pedestrians walking up and down and across a narrow unlit country lane.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan comprises the saved policies of the Chichester District Council Local Plan (1999). The relevant policies are set out in section 7 below.

National Park Purposes

- 6.2 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 wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that

National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

The South Downs Partnership Management Plan (PMP) 2013

- 6.4 The PMP outlines a vision and long term outcomes for the National Park, as well as 5 year policies and a continually updated Delivery Framework. It is a material consideration in planning applications and it has some weight pending the adoption of the South Downs National Park Local Plan. The following policies are relevant: 1, 3, 5, 9, 41 and 43.
- 6.5 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.
- Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states “in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
 - Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that “in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area”.

7. Planning Policy

- 7.1 The following saved policies of the Chichester District Council Local Plan (1999) are relevant:
- RE1: Development in the Rural Area generally
 - BE6: Conservation Areas
 - BE11: New Development
 - BE14: Wildlife habitat, Trees, Hedges and other Landscape features
 - TR6: Highway Safety
 - T1: Accommodation and Facilities
 - T3: Provision in Rural Areas

The South Downs Local Plan: Preferred Options

- 7.2 The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16 July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2 September to 28 October 2015 and the responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the NPPF, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation, the policies within the Preferred Options Local Plan are currently afforded limited weight.
- 7.3 The relevant planning policies of the draft SDNP Local Plan are SD1, SD2, SD5, SD6, SD9, SD11, SD12, SD18, SD20 and SD27.

8. Planning Assessment

- 8.1 As referred to above under paragraph 2.2 of this report, the previous application (ref: SDNP/16/02291/FUL) on the site was refused for the following reasons: 1) landscape harm and harm to the adjoining Conservation Area; 2) harm to the visual amenities of the occupiers of Green Meadows in addition to unacceptable noise and disturbance and 3) insufficient information on visibility splays and detailed plans of the works to the proposed access.
- 8.2 No noise assessment was submitted with the previous refused application. However, a noise assessment has been submitted for the current application, which is covered in more detail

below. Furthermore, additional Highways information has been submitted under the current application on visibility splays, including detailed plans of the works to the proposed access and the application also includes additional landscaping along the site boundaries and within the site itself.

Principle of development:

- 8.3 The application site is located in the countryside outside of a defined settlement boundary. Being located within the National Park, such land has the highest level of protection and paragraph 115 of the NPPF (2012) states that great weight should be given to conserving landscape and scenic beauty in National Parks.
- 8.4 Saved policy RE1 'Development in the Rural Area generally' of the Chichester District Council Local Plan (1999) would be applicable which aims to safeguard the countryside by restricting development to proposals complying with other policies within the Local Plan, including saved policies T1 'Accommodation and Facilities' and T3 'Provision in Rural Areas'. Saved policies T1 and T3 allow for additional tourist accommodation and facilities to be permitted provided that they do not cause demonstrable harm to the environment and the surrounding landscape. Additionally, saved policy T3 requires development to be small in scale and to use existing sites for existing uses.
- 8.5 Although it is noted that the application site does not currently have a permanent permission in place for the use of the field as an overflow car park, it is currently used informally as a car park for up to 28 days a year under permitted development rights.
- 8.6 The SDNP Tourism Officer has not objected to the proposed development on the basis that the additional car parking facility has the potential to contribute to the long term economic success of the hotel and the tourism potential of the wider region, helping to support the vibrancy of the rural economy in the area. The applicant also commissioned a parking survey, which demonstrated that additional parking is required, particularly during the day, to accommodate guests wishing to use the hotel facilities. It would certainly appear from anecdotal evidence (and also from resident's objections) that there is need for additional parking in some form or another to reduce the on-street parking which currently occurs. Whilst it is clear that this area continues to be used informally under permitted development rights, the applicant is now seeking for this area to be used as a parking area on a permanent basis with associated formal landscaping.
- 8.7 The applicant has provided supporting information about three alternative sites in the vicinity of the hotel for additional parking. The applicant has however advised that these were not feasible due to highway safety concerns, land availability and for commercial reasons.
- 8.8 Whilst the need for parking for this commercial enterprise is noted, the main consideration is whether this can be provided as set out in the application without having a demonstrable adverse impact on the surrounding landscape and also on the amenity currently enjoyed by the neighbouring property.

Design and impact on the National Park landscape and the adjoining Conservation Area:

- 8.9 Under the previous refused application (ref: SDNP/16/02291/FUL) one of the grounds for refusal related to the proposed siting, design, size and visual impact of parked cars upon the rural character and appearance of the lane, which would have resulted in an unacceptable urbanising effect. The previously refused layout included minimal landscaping with the exception of hedgerows and planting along boundaries. It was considered that the introduction of a parking area would have an urbanising effect on the rural character of this small settlement of houses and the hotel.
- 8.10 In order to seek to address the landscaping issues raised on the previous application, the applicant has increased the size of the application site so as to provide the same number of parking spaces but to also provide additional landscaping within the site, in an effort to screen the parking spaces from view from outside the site. In addition, the access includes a tarmacked surface at the existing entrance.

- 8.11 The proposed layout within the site would comprise of native tree planting and native shrubs. Native hedgerows would also be planted within the car park to provide internal partitions. Additional mixed species hedgerows would be planted along the existing site boundaries.
- 8.12 It is clear that the applicant has made admirable efforts to address the concerns raised on the previous application in relation to concerns about the impacts on the landscape. However, the introduction of regimented partitioning of this rural field on the edge of this small settlement which abuts and brings the countryside into the heart of this hamlet, only serves to accentuate and highlight a more formal and urbanising element out of keeping with the character of this sensitive area. Whilst the landscape layout would go some way to effectively screen the cars parked within the field, the landscaping itself would appear formal and conspicuous in this setting. This would be exacerbated by the introduction of a tarmacked area at the entrance to the field. It is therefore considered, on balance that the proposals would be out of keeping and would detract from the landscape character of the surrounding area.
- 8.13 Regarding the impact of the proposed development upon the adjacent Conservation Area, although the presence of parked cars would not preserve or enhance the character of the adjacent Conservation Area, the view of the Conservation Officer is that the proposal would result in 'less than substantial harm'. In line with paragraph 134 of the NPPF (2012) this would need to be balanced against any public benefits of the proposal, which would be the removal of unsightly verge parking within the Conservation Area itself. However, it is considered that the proposal would effectively result in a more long term and formal provision of parking which would result in a permanent adverse impact on the character and appearance of the adjoining Conservation Area.
- 8.14 It is considered that the proposal would have limited impact upon the character and setting of the neighbouring listed building, particularly in the summer months when the southern boundary would be better screened by existing and proposed leaf coverage. During the winter months there would be less coverage but the inclusion of evergreen species would help to screen the proposal to a certain extent, were members minded to approve the application.

Dark night skies:

- 8.15 No external lighting is proposed. In the event that the application is approved lighting could be conditioned to ensure that details of any lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to the car park being brought into use.

Residential amenity:

- 8.16 The proposal comprises an improved landscaping scheme along the southern site boundary with Green Meadows compared to the previous refused scheme. It is considered that issues of visual intrusion could be overcome by providing more substantial and mature planting along the southern boundary which would help to screen the use from the occupiers of this property. This could be secured by condition should the scheme be considered acceptable. On this basis, it is considered that the proposed car park and parked cars would not appear unreasonably dominant or intrusive when viewed from the adjacent neighbouring property.
- 8.17 The current scheme does have the benefit of a larger landscaping buffer between the parking and the neighbouring property, but this is not considered to fully address the issue of impact on amenity by way of noise. Environmental Health have come to the conclusion that the impact on the neighbouring property can be satisfactorily addressed if the use of the car park can be restricted to between the hours of 0700 and 2200. This would be in order to prevent associated noise late in the evening and early in the morning. The particular issues highlighted include the opening and closing of car doors, revving of engines and the noise of guests returning to their vehicles, against the ambient tranquillity.
- 8.18 Consideration must therefore focus on whether such a condition would meet the tests for conditions set out in the National Planning Policy Framework. One could argue that there are inherent problems in providing effective enforcement of such a condition, given that events in the evening provide the opportunity for visiting guests to still be at the hotel after 2200 hours. Whilst the applicant has indicated a willingness to submit a parking management plan as a requirement of a condition, the practicalities of how this would be policed is not clear.

Notwithstanding the practical issues of ensuring compliance with the aforementioned conditions, one must also question whether the condition could be considered as reasonable, given that it essentially provides only a partial parking solution for the applicant until 2200 hours when there would need to be a requirement for guests to find alternative parking, even if they wished to remain at the function they were attending. One could also argue that this, in itself, would result in noise issues between 2100 and 2200 hours and then later along the street if alternative parking has been sought, when functions finish, thus having a greater impact on the amenity of local residents.

8.19 In conclusion it is noted that this issue is finely balanced. Despite there being certain conditions that arguably may mitigate the adverse impact, these do not meet the required tests for conditions as set out in the National Planning Policy Framework and could not ensure an acceptable relationship with the amenity of the neighbouring property. The proposal is therefore considered to have an unacceptable impact on the amenities of the neighbouring residents contrary to policy.

Highways and parking:

8.20 One of the previous reasons for refusal for application ref: SDNP/16/02291/FUL was based on Highway grounds, which related to the provision of insufficient information on visibility splays and detailed plans of the works to the proposed access.

8.21 WSCC Highways have been consulted on the current application and are satisfied with the level of information provided subject to the attachment of conditions.

8.22 The Highways Officer has suggested that the applicant should consider linking the proposed car park with a pedestrian walkway from the end corner of the car park across into the hotel site through the provision of small pedestrian access points. However, this has not been provided and WSCC Highways have confirmed that they would not object on this basis.

8.23 The submitted Landscape Strategy Plan shows the provision of a tarmac crossover at the existing vehicular access to the site with a double line of granite setts along the Highway edge. Having considered the Landscape Officer's comments regarding the unsuitability of tarmac on the character and appearance of the surrounding area, WSCC Highways have confirmed that a stabilised gravel surface would be an acceptable alternative provided that it is a bound surface to ensure that no debris could spread into the highway. Again, this could be secured through a condition.

8.24 Having considered the above, Officers consider that the proposed development would not adversely impact on highway safety in accordance with saved policy TR6 of the Chichester District Council Local Plan (1999) and the proposal would adequately manage to overcome the previous Highways reason for refusal.

Ecology:

8.25 The application has been accompanied with an ecological assessment, which has been assessed by the Ecology Officer at HCC. No ecological concerns have been raised subject to the attachment of a condition.

Trees:

8.26 No objections have been raised by the SDNP Arboricultural Officer, who is of the view that the existing trees to be retained would be unlikely to be harmed by the proposal. Notwithstanding this, should the application be approved a condition could be attached to ensure that tree protection measures are implemented in accordance with BS5837:2012: Trees in relation to design, demolition and construction.

9. Conclusion

9.1 In conclusion, it is clear that the material considerations are finely balanced in this case. Whilst the efforts by the applicant to address concerns on the previous application in relation to landscape impact are noted, these in themselves are considered to have an unacceptable impact on the landscape character and the Conservation Area. Likewise, there are concerns that conditions could not easily address the anticipated impact on the amenity of the neighbouring property. In the absence of conditions which would meet the tests set out in the National

Planning Policy Framework, it has not been demonstrated that the proposal would not have an impact on the amenity of the occupiers of the neighbouring property, to their detriment.

9.2 The application is therefore recommended for refusal for the reasons set out in paragraph 10.1 below.

10. Reason for Recommendation and Conditions

10.1 It is recommended that the application be refused for the reasons set out below:

1. The proposed overflow car park, by reason of its siting, design, size and the introduction of a formal partitioned landscaped layout, would result in an incongruous form of development having an unacceptable urbanising effect upon the rural character and appearance of the lane and surrounding area. The proposals would not therefore conserve or enhance the National Park landscape and would have an unacceptable impact on the character of the conservation area. The development is therefore contrary to saved policies RE1, BE6 and BE11 of the Chichester District Local Plan (1999), the National Planning Policy Framework (2012), the first purpose of the National Park, the South Downs National Park Partnership Management Plan (2013) and the English National Parks and the Broads: UK Government Vision Circular 2010.
2. It has not been adequately demonstrated to the satisfaction of the Local Planning Authority that the noise levels associated with the proposed change of use, by reason of the proximity of the car park to Green Meadows, the low existing background noise levels (and the management difficulties in ensuring the car park would be vacated by 2200 hours), would not result in harm to the amenities of the occupiers of the neighbouring property. The proposal would therefore be contrary to policy BE11 of the Chichester District Council Local Plan (1999) and the National Planning Policy Framework (2012).

11. Crime and Disorder Implication

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. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

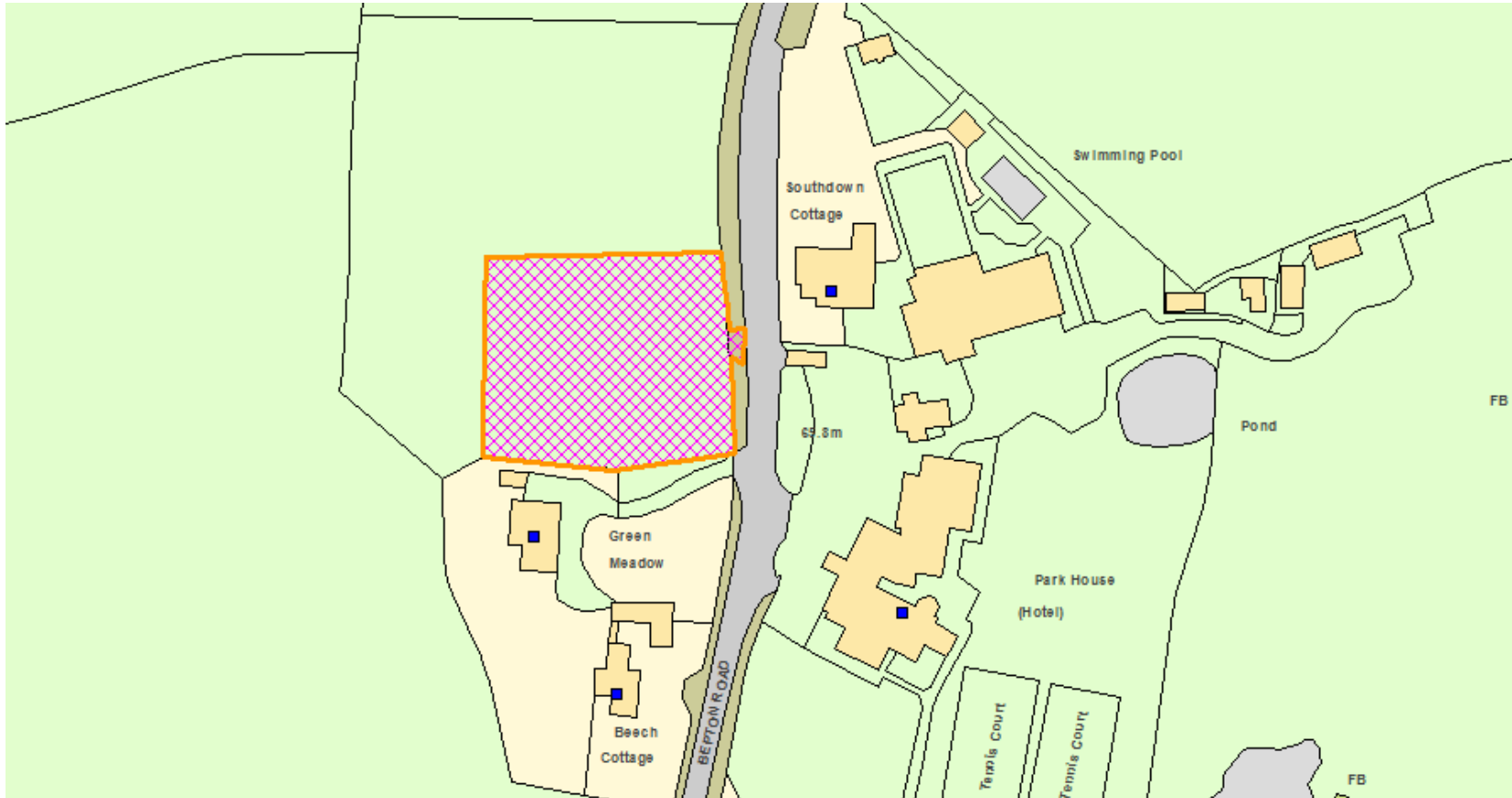
14. Proactive Working

14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice from a SDNPA and the opportunity to provide additional information to overcome technical issues.

TIM SLANEY
DIRECTOR OF PLANNING
South Downs National Park Authority

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Appendices I. Site Location Map
SDNPA Legal Services, Development Manager, Director of Planning.
Consultees
Background Documents All planning application plans, supporting documents, consultations and third party responses
<http://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OIHLNRTUMXC00>
National Planning Policy Framework (2012)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/60772/116950.pdf
South Downs National Park Partnership Management Plan 2013
<https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/>
Chichester District Council Local Plan (1999)
<http://www.chichester.gov.uk/localplan1999>

Agenda Item 15 Report PC40/17 Appendix I Site Location Map



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