

REPORT SUMMARY

REFERENCE NO - 19/02272/FULL			
APPLICATION PROPOSAL Provision of a car park for a temporary period of three years, together with the provision of a bin store and a new surface on the existing track leading to the car park (Retrospective)			
ADDRESS David Salomons Estate Broomhill Road Royal Tunbridge Wells Kent TN3 0TG			
RECOMMENDATION to GRANT planning permission subject to conditions (please refer to section 11.0 of the report for full recommendation)			
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none"> - It is considered that sufficient justification has been provided for the proposal and that a temporary consent will enable the production of a site wide assessment and masterplan to improve parking facilities at the Estate and the long term impact on the AONB, the Historic Park and Garden and the setting of the Listed Buildings on this estate. - It is considered that there special circumstances that adequately justify the temporary harm caused to the openness of the Green Belt - The proposal would not have an adverse impact on biodiversity 			
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL The following are considered to be material to the application: Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A Net increase in numbers of jobs: N/A Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: N/A The following are not considered to be material to the application: Estimated annual council tax benefit for Borough: N/A Estimated annual council tax benefit total: N/A Annual New Homes Bonus (for first year): N/A Estimated annual business rates benefits for Borough: N/A			
REASON FOR REFERRAL TO COMMITTEE Called in to Planning Committee by Cllr Lewis due to the potential risk to the Area of Outstanding Natural Beauty and the Green Belt.			
WARD Southborough & High Brooms	PARISH/TOWN COUNCIL Southborough Town Council	APPLICANT Markerstudy Group AGENT Mrs Polly Canning	
DECISION DUE DATE 10/10/19 Extension of Time 18/09/20	PUBLICITY EXPIRY DATE 18/10/19	OFFICER SITE VISIT DATE 26/09/19	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App. No	Proposal	Decision	Date
77/00153/HIST	Circular 80/71 - Residential blocks and fire escapes	No Objection	20/04/1977

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79/00854/FUL	Use of science theatre and power house as a museum, car park and alterations to access	Granted	11/01/1980
84/01501/FUL	Circular 7/77 - Car park	Granted	18/12/1984
85/01655/CIRC	Consultation - government department conversion of part of stable block to office use	No Objection	05/02/1986
90/01625/CIRC	Circular 18/84 - Change of use to offices for the institute of public health with additional parking	No Objection	03/01/1991
95/10265/CEU	Lawful Development Certificate - Training and Conference Centre falling within Class C2 of the Town and Country Planning (Use Classes) Order 1987 except within area 4 (identified on the plan by green shading) having an office use	Granted	18/12/1995
97/00891/LBC	Listed Building Consent - Removal of added structures & new elements to provide teaching accommodation at the stable block	Granted	20/01/1998
00/00177/LBC	Listed Building Consent - Conversion to library and teaching facilities	Granted	09/06/2000
01/00999/FUL	Provision of hardstanding for refuse bins	Granted	27/06/2001
02/01695/FUL	Change of use of North Lodge from residential to meeting rooms	Refused	23/10/2002
04/02376/FUL	Additional car parking formed in interlocking plastic grid for overflow parking [Officer Note: relates to unimplemented parking to the east of the residential block within the walled garden]	Granted	29/10/2004
06/00411/FUL	Construction of 52 new car parking spaces [Officer Note: Relates to additional parking on the grass verge to the southwest of Runcie Court and to the west of the car park on the exit road] Refused for the following reasons: 1. loss of important landscaping to the detriment of the AONB and Special Landscape Area and reduction in openness of the Green Belt. 2. Detrimental impact of the setting of listed buildings.	Refused	06/04/2006
07/02265/FUL	Change of use from Salomons training use to business use	Granted	17/08/2007
13/01152/FUL	Temporary car park for 63 cars located to the rear of Runcie Court for a period of five years from July 2013 [Officer Note: Relates to the application site] Refused for the following reasons: 1. Inappropriate development and harm to the openness of the Green Belt	Refused	22/11/2013

	<p>2. Loss of the green setting and harm to the Grade II* Runcie Court and other listed buildings on the wider David Salomon's estate</p> <p>3. Significantly harm to the character and visual amenities of the site, a designated Historic Park and Garden, and the AONB</p> <p>4. Insufficient ecological information, particularly in respect of reptiles and bats</p>		
14/00184/LDC	<p>Lawful Development Certificate (Existing)</p> <p>Mixed use of land and buildings for education/training purposes, and as a venue for a maximum of 1,200 events and functions per annum not exceeding one day per event/function with attendees not exceeding 500 on any one day events and functions</p>	Granted	11/04/2014
14/01567/FULL	<p>Creation of temporary Christmas attraction within the grounds of Salomons Estate, including the installation of a number of temporary buildings and structures, demolition of brick enclosure adjacent to boundary wall and reinstatement of gap in wall, change of use of land at Mill Farm to temporary car park for the attraction including new surfacing for parking area, and erection of temporary structures</p>	Refused	31/10/2014
13/03531/FULL	<p>Erection of hotel building in the Walled Garden, including demolition of two existing buildings and creation of new car park</p>	Granted	11/03/2016
17/00812/FULL	<p>Construction of temporary building works associated with implementation of hotel at Salomons Estate (TW/13/03531/FULL) including construction of a temporary haul road, temporary creation of a vehicular opening in eastern brick wall of the walled garden, temporary creation of a vehicular opening in northern stone estate boundary wall, and temporary removal of one of pillars at main entrance to estate for access</p>	Granted	27/06/2017
17/01468/LBC	<p>Listed Building Consent - Erection of hotel building in the Walled Garden (Resubmission of expired listed building consent 13/03534/LBC with amendments)</p>	Granted	20/04/2018
17/01477/FULL	<p>Replacement of potting sheds within walled garden of Salomons Estate with a new build lean-to structure (to service "back of house" area for new hotel approved under permission</p>	Granted	23/04/2018

	TW/13/03531/FULL)		
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MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 David Salomons Estate is located to the west of Southborough and on a corner plot of land that is bounded by Speldhurst Road to the north and Broomhill Road to the east. The estate extends to the west and southwest and comprises:
- A large country house (Grade II Listed Building) set within extensive grounds;
 - Runcie Court - a former stable/garage block (Grade II* Listed Building) located to the east of the main house;
 - A large walled garden to the north-east of the main house containing two T-shaped two storey 1970s buildings used as overnight accommodation;
 - A water tower (Grade II Listed Building), a folly and workshop;
 - Two Lodges (Grade II Listed Buildings) located on the Broomhill Road and Speldhurst Road entrances.
- 1.02 There are two principal accesses to and from the site from Broomhill Road. The northern most access is located around 80m from the Speldhurst Road junction and acts as the main entrance into the estate and the long driveway leads to the main house. A second access a further 120m to the south is used as the main exit from the site. There is also a secondary access located to the north of the main house on Speldhurst Road.
- 1.03 Runcie Court lies to the north of the main driveway and is positioned to the east of the main house. It is a substantial two-storey U-shaped stable block/coach house around a large courtyard and is a Grade II* Listed Building.
- 1.04 To the north of Runcie Court is a level piece of land that is bounded by Speldhurst Road and a tall sandstone wall of around 2.5 metres in height to the north, a brick wall forming the walled garden to the west and an open wooded area that runs along the driveway to the east. This area of land is currently being used for additional car parking and vehicular access is via a track to the east of Runcie Court off the main driveway.
- 1.05 The ground level general slopes down from the north to the south and there is a significant difference in levels between Runcie Court and the land to the north. This boundary consists of a steep bank with some vegetation and trees. These trees and the trees to the east adjacent to the driveway are covered by Tree Preservation Order 009/2014.
- 1.06 The estate is used as a venue for education/training purposes and functions and a Lawful Development Certificate has been issued for this use (14/00184/LDC refers). Runcie Court was occupied and owned by Canterbury Christ Church University until 2018 and this building is now occupied by Markerstudy Group to support the function of the Estate.
- 1.07 Previously, parking has been available on the existing hard surface within the walled garden, within the courtyard of Runcie Court, adjacent to Oak Lodge at the main entrance, in parking bays to the south of the driveway, parking in front of the main house and the southern car park on the exit driveway. It is noted that additional parking bays have been provided parallel along the length of the driveway and on the

other internal road in front of Runcie Court as well as the creation of the car park to the rear of Runcie Court. In some cases, there is tandem or double parking.

2.0 PROPOSAL

- 2.01 This application seeks consent for the:
- the retention of the car park on the land to the rear of Runcie Court
 - the retention of the access track to this car park and upgrades to the surface of this access track
 - a new timber bin enclosure adjacent to Runcie Court
- 2.02 The car park to the rear of Runcie Court and the access track from the main driveway has been constructed. This car park provides an additional 61 parking spaces and is laid out informally with a grasscrete grid paving system surface. As part of the proposal the parking within the courtyard of Runcie Court will be reduced and only disabled parking bays allocated in the courtyard.
- 2.03 The access track runs along the eastern edge of Runcie Court from the main driveway and the proposal also involves the upgrading of this track with a cellular surface system.
- 2.04 A temporary period of three years for the car park and track is sought in order for a thorough site wide review of the Salomons Estate as a whole to be undertaken and for a masterplan to be prepared to guide and inform the future development of this estate and to address the current parking and circulation issues.
- 2.05 The proposed bin enclosure is to be located on a grassed strip of land to the east side of Runcie Court and approximately 14 metres back from the internal road in front of Runcie Court. The bin store would be set into the bank to the east and would be constructed with red brick retaining walls and close board timber fence.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Car parking spaces	161	222	+61
Bin store max height	n/a	1.8m	n/a
Bin store max width	n/a	7m	n/a
Bin store max depth	n/a	2m	n/a

4.0 PLANNING CONSTRAINTS

- Outside Limits to Built Development (LBD)
- Metropolitan Green Belt (GB)
- Area of Outstanding Natural Beauty (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)
- KCC Historic Parks and Gardens Proposed KCC Historic Parks & Gardens: David Salomons House
- Listed Buildings (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990):
 - David Salomons House (Grade II)
 - Runcie Court (Grade II*)
 - Water tower (Grade II)
 - North Lodge (Grade II Listed)

- The Motor Stables, adjacent to main house (Grade II Listed)
- East Lodge (Grade II Listed)
- Boundary wall (curtilage listed)
- Potential Archaeological Importance Potential Archaeological Importance - Various Sites
- Ashdown Forest Ashdown Forest 15 Km Habitat Regulation Assessment Zone
- Tree Preservation Order:
 - 030/2013 – covers estate
 - 009/2014 – covers various trees including trees to the north and trees/woodland east of Runcie Court

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) 2019
National Planning Practice Guidance (NPPG)

Tunbridge Wells Borough Core Strategy (CS) (2010):

- Core Policy 2: Green Belt
- Core Policy 3: Transport Infrastructure
- Core Policy 4: Environment
- Core Policy 5: Sustainable Design and Construction
- Core Policy 14: Development in the Villages and Rural Areas

Tunbridge Wells Borough Local Plan (LP) (2006)

- Policy MGB1: Metropolitan Green Belt
- Policy LBD1: Development Outside the Limits to Built Development
- Policy EN1: Development Control Criteria
- Policy EN13: Tree and Woodland Protection
- Policy EN25: Development Control Criteria for all Development Proposals affecting the Rural Landscape
- Policy H11: Historic Parks and Gardens
- Policy TP5: Vehicle Parking Standards

Supplementary Planning Documents:

- Tunbridge Wells Borough Landscape Character Assessment

6.0 LOCAL REPRESENTATIONS

- 6.01 Site Notices were displayed at the Broomhill Road and Speldhurst Road entrances to the site on 26 September 2019. The application was also advertised in a local newspaper on 27 September 2019.
- 6.02 No representations have been received in response to these advertisements.

7.0 CONSULTATIONS

Environment Agency (18/09/19)

- 7.01 Have assessed this application as having a low environmental risk and have no comments to make.

Historic England (23/09/19)

- 7.02 On the basis of the information available to date, do not wish to offer any comments. Suggests that views of specialist conservation and archaeological advisers are sought.

Conservation Officer (11/10/19)

- 7.03 The heritage assessment supplied is comprehensive and the conclusions that are reached are agreed.
- 7.04 It is suggested that the temporary permission be restricted to 18 months with any longer period being subject to the production of a comprehensive and realistic parking masterplan for the estate as a whole, its submission to the Local Planning Authority for approval and it being found acceptable. Any period longer than 18 months shall be conditional on completion and acceptability of this masterplan and being conditioned to require the proposals in the parking masterplan gaining planning approvals and implemented within acceptable timescales.
- 7.05 That a high quality solution to the commercial bin storage be made a part of this application or conditioned for submission, approval and construction within the specified 18 month temporary permission.
- 7.06 That a landscaping proposal for the site be submitted for approval and executed within the specified 18 month temporary permission.
- 7.07 That a method statement for full restoration of the site and access track back to its original condition be submitted and approved within the specified 18 month temporary permission, works to be completed within an agreed timeframe on cessation of the use as temporary parking (or the condition to fall away if permanent parking is permitted under the proposed parking management plan).
- 7.08 A condition requiring cessation of parking within Runcie Court and immediately in front of Runcie Court subject to an agreed provision for disability parking.

Landscape & Biodiversity Officer (14/10/19)

- 7.09 Agrees with Conservation Officer comments. There is a potential effect on the trees surrounding the access. This woodland through which the track passes appears on the first edition OS mapping and has been retained intact subsequent to the building of the stables. However, the composition of species and age structure suggests considerable intervention and recent management appears geared toward encouraging the grass rather than the trees. It is possible that the soil retains some ancient characteristics and so might with the correct management return to woodland or wood pasture so that it might be more in keeping with the built heritage. This would not preclude some ornamental species as the area does form part of what might be considered the designed landscape. Such a change in management would also have biodiversity benefits. Would like to see as part of any mitigation for effects on trees a woodland management plan for this area secured by way of condition.

Tree Officer (09/01/20)

- 7.10 Satisfied that that no irreversible damage to trees has occurred or is likely to occur subject to compliance with the submitted Arboricultural Method Statement no. 5194/19/01 and Tree Protection Plan PJC/5194/19/A (including the provision for arboricultural supervision).
- 7.11 There will be some soil compaction along the temporary track due to its use prior to installation of appropriate surfacing, and it is noted that excavation has been carried out within the root protection areas of trees along the track for the lighting. In both cases the damage has already been done, and the best way forward is to avoid further excavation in this area and install a geotextile, cellular confinement system and permanent protective fencing along the track.

Southborough Town Council (08/10/19)

- 7.12 The committee noted this application and raised concerns that it had taken 13 months to bring this to the planning authority for consideration. Agreed to note subject to applicant abiding by the planning restraints placed on this application by the planning authority.

8.0 APPLICANT'S SUPPORTING COMMENTS

- 8.01 The submitted Planning Statement concludes:
- 8.02 The Planning Statement has explained the background to the site and the need for the temporary car park. It is acknowledged that this is a sensitive site, but the works are only temporary in nature, there will be no lasting impacts and the land will be reinstated following the three-year period.
- 8.03 In terms of the natural environment, there will be no lasting impact on the openness of the Green Belt or the AONB. In terms of the historic environment, the development actually offers an opportunity to bring benefits by offering an overall enhancement to the setting of Runcie Court (by removing all the normal car parking from Runcie Court, with only disabled parking bays allocated in the Courtyard).
- 8.04 In the meantime, the Markerstudy Group will work with the Council to come up with a Masterplan for the entire Estate. As explained in the Statement significant investment is required to ensure that the Estate can be maintained and preserved for future generations. An overall site wide strategy needs to be prepared in order to inform future development at the Estate to support the conservation of key built and historic components of the site, whilst encouraging the sensitive and beneficial economic use of the listed buildings.
- 8.05 Overall, it is considered that the benefit of the scheme would outweigh any short term harm to the Green Belt, the AONB and to the setting of Runcie Court.

9.0 BACKGROUND PAPERS AND PLANS

- 9.01 Planning Statement (incl. Design and Access Statement) dated July 2019
Heritage Statement dated May 2019
Arboricultural Method Statement dated 10 May 2019
PJC/5194/19/Rev 2 Tree Protection Plan
PJC-0846.001 General Arrangement Landscape Plan/Detailed Planting Schedule
02235 0001 Rev P1 Location Plan
02235 0100 Rev P1 Existing Site Layout
02235 1000 Rev P1 Proposed Site Layout
1631 006 Rev P3 Cross Section
02235 1100 Rev P1 Proposed Bin Store (Block Plan)
02235 1110 Rev P1 Proposed Bin Store (Elevations)

10.0 APPRAISAL

Background

- 10.01 Planning applications have been submitted for additional car parking within this estate in the past and specifically application 13/01152/FUL related to the use of the area of land to the rear of Runcie Court for the parking of 63 cars. This application was refused planning permission due to the harm caused by the proposal on the openness of the Green Belt, the character and visual amenities of the site as a

designated Historic Park and Garden and the Area of Outstanding Natural Beauty, loss of the green setting and harm to the Grade II* Runcie Court and other listed buildings on the wider David Salomon's estate and insufficient ecological information, particularly in respect of reptiles and bats.

- 10.02 Planning permission has also been granted under application 17/00812/FULL for the land to the rear of Runcie Court to be used as a compound area during the construction of the hotel that was granted within the walled garden (13/03531/FUL refers). It is acknowledged that the permission for the hotel has now expired but this consent is considered to be a material consideration in the determination of this current proposal. The use of this land for the compound site would have a significant impact on the character of the wider site and landscaped area but would have been a temporary development for approximately 2 years.
- 10.03 As part of the planning permission for the hotel (13/03531/FULL) a Section 106 Agreement was entered into and as part of this Agreement an estate wide conservation management plan was required to be submitted and agreed, which sought to relieve pressures from the development on the open spaces of the estate including requirements for parking.

Principle of Development

- 10.04 This estate lies outside the Limits of Built Development and within a countryside location, where both national and local planning policies seek to control inappropriate development in order to maintain the landscape character and quality of the countryside.
- 10.05 The NPPF seeks to support a prosperous rural economy. Paragraph 83 of the NPPF sets out that decisions should enable the sustainable growth and expansion of all types of business in rural areas but Paragraph 84 seeks to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.
- 10.06 The proposal is for the retention of a car park and access track and the construction of a bin store that would serve the existing functions carried out on this site and will therefore support this existing rural business.

Impact on Green Belt

- 10.07 This estate lies within the Green Belt and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 143 of the NPPF states that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.
- 10.08 In terms of the proposed bin store, paragraph 145(c) allows for the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building. Given the size and scale of the proposed bin store and the nature of this structure it is considered that this would be appropriate development within the Green Belt.
- 10.09 In terms of the car park and access track, under paragraph 146 of the NPPF engineering operations are not considered to be inappropriate in the Green Belt provided the openness of the Green Belt is preserved and the development does not conflict with the purposes of including land within it. The use of this land for car parking would be considered as an ancillary use that serves the functions and lawful use of this estate and therefore, the creation of a car park is not considered to be inappropriate development.

- 10.10 In this instance it is considered necessary to assess the impact that the use of this land for parking would have on openness of the Green Belt.
- 10.11 Following the change in occupier of Runcie Court, it is clear that this has added greater demand for parking at this site and this was evident during site visits to the estate. As a consequence cars have become very visible features and parking has become more commonplace along the driveway and other vehicular routes within the site as well as to the front of the main house and within the courtyard of Runcie Court. This spread of parking has a significant impact on the appearance of the site and the openness of the Green Belt, as well as the setting of the listed building and the wider landscape character.
- 10.12 This part of the site has historically served the functions of the estate and has generally been an open piece of land. The introduction of cars on this land as well as the creation of a more substantial access track to this land is considered to have a harmful impact on the character of this part of the estate and in turn the openness of the Green Belt.
- 10.13 In support of this proposal it is intended that a site wide assessment of the estate and a masterplan is to be prepared and this is to address the current parking situation and circulation issues within the estate. A Conservation Management Plan was a requirement as part of the Section 106 Agreement for the proposed hotel within the walled garden and this would have included parking provision within the estate. However, since this consent has now expired the opportunity to improve the management of the wider site has been lost.
- 10.14 Whilst it is considered that a car park in this location would have a harmful impact on the openness of the Green Belt it is noted that the increased parking demand in association with the continued lawful use of Runcie Court will need to be accommodated within the estate. In this case, it is considered that a temporary consent to deal with the current parking situation will allow a review of parking arrangements across the site so that a long term solution to the parking situation and the removal of inappropriate parking locations such as this site can be achieved.

Impact on Visual Amenities, ANOB, Historic Park and Garden and Wider Landscape Implications

- 10.15 Paragraph 170 of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Additionally paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.
- 10.16 The estate itself is designated as a Historic Park and Garden and the use of this part of the site has resulted in the loss of the open green space within this estate that would have once formed part of the garden and this is considered to detract from the historic and landscape character of this estate.
- 10.17 The car park itself is within a fairly secluded position within this estate and is well screened by boundary walls as well as Runcie Court to the south but there are glimpses of the cars parking in this area through the trees to the east. The access track is the main indication of the car park's location and this cuts through the open woodland and is visible from the main driveway. It appears that there has been a track in this position in the past that has been used by groundsmen to access the

land this land but this proposal has significantly increased the vehicular use of this track and area.

- 10.18 Overall, the development of this car park and access road has an adverse impact on the landscape character of the site but improvements to the site are proposed in the form of additional planting along the eastern and southern edges of the car park as well as understory planting within the woodland to the east in order to further screen the car park from surrounding area and the main driveway.
- 10.19 Whilst it is considered that there is harm to the landscape character of this area and in turn the specific character of the AONB, a temporary consent is requested so that further site wide strategy of the parking situation can be developed with a view to improving the landscape character of the site as a whole. Should refusal be given for this proposal the cars that currently use this car park will need to be relocated and without a clear strategy for parking within this site the re-siting of these cars is likely to have a much greater adverse impact on the landscape character of this estate. On balance it is considered that taking into account the temporary nature of this proposal and the landscape improvements proposed that the temporary harm caused would not be significant.
- 10.20 The installation of a bin store to the east of Runcie Court, on an area that is screened by an existing bank and vegetation and is set back from the front elevation of Runcie Court, is not considered to be in a prominent location and will have the benefit of consolidating refuse storage in a single area away from the more public areas of this part of the estate. It is not considered that this bin store would be in a position or of a scale that would significantly harm the landscape character of this area.

Impact on Listed Buildings

- 10.21 There are a number of designated heritage assets within this estate and Runcie Court located adjacent to this development is a Grade II* Listed Building.
- 10.22 In relation to conserving these heritage assets, paragraph 197 of the NPPF states that 'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'. Core Policy 4 also seeks to conserve and enhance heritage assets and identifies that special regard will be had to the setting of these assets.
- 10.23 The car park and access road is considered to have a harmful impact on the setting of the main listed buildings on this estate by removing the green space that would have originally formed part of this estates garden. The use of this land for parking and the introduction of parked cars has removed this open space around Runcie Court, which forms part of the significance of this Grade II* Listed Building, and results in this building being surrounded by parking and internal roads. Along with the cars currently parking within the courtyard of Runcie Court, which results in cars obscuring views of the listed building and occupying an area that was intended as an open stable yard, this proposal is considered to adversely affects the setting of this Grade II* Listed Building.
- 10.24 The Conservation Officer has assessed the harm caused to the setting of the listed Runcie Court and agrees with the conclusions of the submitted heritage statement that the level of harm is less than substantial and considers that the setting of this listed building has already been compromised by the retrospective nature of this proposal but there is potential for some level of enhancement to alleviate the harm caused.

- 10.25 The most immediate benefit would be the removal of parking within the courtyard of Runcie Court, other than for disabled parking, and this would significantly improve the setting of this listed building. This can be secured by condition.
- 10.26 The temporary nature of this proposal will enable the removal of the cars parked to the rear of Runcie Court and the access road so that this land can be returned to its previous condition and use. Details can be secured by condition to ensure a satisfactory form of development once the use of this land for parking ceases. However, with the removal of this land for parking cars will be displaced to other areas of the site and this is highly likely to be more visible locations that will have a greater impact on the setting of the listed buildings within this estate. Therefore, a comprehensive review of the parking provision within the site as whole is required and can be conditioned so that in the long term there is potential to improve the setting of the listed buildings across this site.
- 10.27 Whilst the development undertaken is considered to cause harm to the setting of the Runcie Court it is considered that there are benefits that can be achieved to the setting of this and other listed buildings within the estate, which can be secured by conditions, that would provide sufficient justification for a temporary consent.
- 10.28 The proposed bin store is to be located to the area of land to the east of Runcie Court and this is a well screened area due to the changes in ground levels and the position of Runcie Court. Currently bins are located on an area of hard surface located closer to the front elevation on the east side of Runcie Court with no screening so that they are very visible from the main driveway. This detracts from the setting and appearance of Runcie Court and it is considered that the proposed location of the bin store further away from this highly visible elevation would improve the setting of this listed building.
- 10.29 The design of the bin store is functional and consists of a fence screen on a low brick wall. The Conservation Officer feels that this could be improved and has suggested that further details of this structure can be agreed by condition. As part of this suggested condition details of the exact materials proposed for this bin store can be requested to ensure a satisfactory form of development.

Residential Amenity

- 10.30 Given the location of this site within the wider estate of Salomons and the location of the existing residential dwellings surrounding this site it is not considered that this proposal affects residential amenities.

Trees

- 10.31 There are no trees within the area of the car park that have been affected by this proposal but the access track runs through the group of trees to the east of Runcie Court. Whilst no trees have been removed in the creation of this access, the trees adjacent to this access track have been affected by soil compaction and some excavation within the root protection area of the trees as well as the intensification of this access for use by cars.
- 10.32 The Tree Officer is satisfied that that no irreversible damage to trees has occurred and that subject to the installation geotextile, cellular confinement system, laid on top of the existing road surface, and permanent protective fencing along this track that the trees will be protected during the temporary use of this car park.

- 10.33 Taking into account the Tree Officer's view, it is considered necessary to secure the installation of these additional measures to ensure the trees adjacent to this road area protected.

Biodiversity

- 10.34 Paragraph 170 of the NPPF seeks to ensure that all proposals 'contribute and enhance the natural and local environment and that proposals minimise the impacts on and provide net gains for biodiversity.
- 10.35 The land to the rear of Runcie Court was previously maintained as mown open space but there is likely to have been potential for protected species to be present on this grassed area. Due to the retrospective nature of this proposal the potential for mitigation measures to be undertaken before the development was undertaken has been lost but it is considered that the additional landscaping proposed to the eastern and southern boundaries of this site would improve the ecology of this area during the temporary period that the car park is in use.
- 10.36 The Landscape & Biodiversity Officer has requested that a woodland management plan be secured by condition in order to return the area of trees to the east of Runcie Court to its more natural woodland state or woodland pasture more in keeping with the built heritage of this estate. Whilst this would have additional ecological benefits due to the nature of this development and that this use would be temporary it is not considered that this would be a reasonable requirement.

Temporary Consent

- 10.37 It is considered that the position of this current car park would have a harmful impact on the openness of the Green Belt as well as the landscape character of the AONB and this Historic Park and Garden and setting of the listed building. The permanent use of this land for parking would not be considered appropriate or acceptable in this circumstance. However, this proposal is for a temporary consent for three years so that the parking situation on site can be fully assessed and alternative parking proposals for the site as a whole can be agreed. A refusal of this application will result in the cars currently using this site being displaced elsewhere within the estate that could have greater harm on visually on the character of the estate. In this instance, it is considered that a temporary consent will enable appropriate locations for car parking or alternative transport arrangements to be agreed and this would provide long term improvements to the estate.
- 10.38 The Conservation Officer has suggested a temporary permission for a period of 18 months but taking into account the mitigation measures that are required to ensure a more appropriate form of temporary development, for example landscaping and tree protection measures, it is not considered that it would be reasonable to require these measures to be put in place for a temporary period of 18 months. A three year temporary consent is considered reasonable and will allow sufficient time for the formulation of a comprehensive site wide parking strategy.

Conclusion

- 10.39 The car park is considered to be harmful to the openness of the Green Belt and the landscape character of this site, which is designated as a Historic Park and Garden and located within the AONB, and the setting of the listed buildings on this site. However, it is considered that there are benefits to a temporary consent that will immediately remove parking from the courtyard of Runcie Court, other than for disabled parking, thereby improving the setting of Runcie Court and will enable a comprehensive review of the parking arrangement across this site that will enable a parking strategy to be agreed and provide long term improvements to the site.

10.40 On balance it is considered that the temporary harm caused would be outweighed by the potential benefits to the estate and that there is sufficient justification for a temporary consent for this car park for 3 years, subject to conditions.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

- (1) The bin store hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The use of the land identified in drawing 02235 1000 Rev P1 as parking and the access road to this land shall be for a limited period being 3 years from the date of this decision. At the end of this period the use hereby permitted shall cease, all materials and equipment brought onto the land in connection with the use shall be removed, and the land restored in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority as required by condition 5 of this decision.

Reason: Permanent development of this nature is not considered acceptable in this location and to ensure a satisfactory setting and external appearance to the land.

- (3) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following submitted plans:

PJC/5194/19/Rev 2	Tree Protection Plan
PJC-0846.001	General Arrangement Landscape Plan/Detailed Planting Schedule
02235 1000 Rev P1	Proposed Site Layout
1631 006 Rev P3	Cross Section
02235 1100 Rev P1	Proposed Bin Store (Block Plan)
02235 1110 Rev P1	Proposed Bin Store (Elevations)

Reason: To clarify which plans have been approved.

- (4) Prior to construction of the bin store hereby approved details of the structure, including written details of source/manufacturer, and samples of bricks, tiles and cladding materials to be used, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approve details unless otherwise approved in writing by the local planning authority.

Reason: In the interests of visual amenity and the setting of the listed building.

- (5) A method statement for the full restoration of the site and access track back to its original condition shall be submitted to and approved in writing by the Local Planning Authority prior to the cessation of the use of this land for temporary parking or within three years from the date of this decision, whichever is the sooner.

Reason: To ensure a satisfactory setting and external appearance to the land

- (6) Within 3 months of the date of this decision the tree protection and mitigation measures set out in the submitted Arboricultural Method Statement (no. 5194/19/01) and Tree Protection Plan (PJC/5194/19/A), which shall include the provision for arboricultural supervision, shall be carried out and maintained until the use of the development hereby approved ceases.

Reason: To safeguard existing trees and to ensure a satisfactory setting and external appearance to the development.

- (7) Parking within the courtyard of Runcie Court shall cease other than for disability parking, the details of which shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the setting of the listed building.

- (8) The landscaping scheme detailed on drawing PJC-0846.001 shall be carried out during the next planting season (October to February) following the date of this decision. Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory setting and external appearance to the development.

INFORMATIVES

- (1) This is a temporary consent in order to deal with a short term need for parking on this site and the permanent use of this land for parking is not considered to be acceptable. It is expected that a comprehensive parking masterplan for the estate as a whole, including timescales for implementation, shall be undertaken during this temporary period in consultation with the Local Planning Authority.

Case Officer: Kirsty Minney

- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.