

SUPPORTING STATEMENT

Re Application for Advertisement Consent and Planning Permission for associated structures

At Land known as Firle Estate, Beacon car park, South Downs Way, Lewes, BN8 6LR

Introduction

1. This statement is made in support of an application for Advertisement Consent and Planning Permission submitted on behalf of our Client, Initial Parking Limited (the Applicant) in relation to land at Firle Estate, Beacon car park, South Downs Way, Lewes, BN8 6LR (the Site).
2. This Statement and the Application is submitted with the knowledge and consent of the landowner.

Background

3. The Landowner has asked our Client, Initial Parking Limited (the Applicant) to take over the continued operation and management of the Site as a car park.
4. The Landowner has for the same purpose consented to the display of advertisements and installation of associated structures throughout the Site in acknowledgment of the Applicant's requirements under BPA Standards and other legislation governing the management of car parking sites.
5. The Site has no hardstanding or other laid surface and displays no demarked bays.
6. There is no intention to carry out any operational development that might introduce hardstanding or demarked bays. There is an intention to create better access and introduce a boundary treatment, to provide for safer parking and separation from highway users, in recognition of its close proximity to the road/traffic.
7. The Site has been used as a car park for more than 10 years. The Site's lawful use is therefore considered to be as a car park, having acquired immunity from enforcement through the passage of time.

The Application Site

8. The Site can hold approximately 200 vehicles depending on make, model and orientation of parking by users.



9. The Site sits within the South Downs National Park, although has no specific designation or feature that warranted any specific mention or recognition within the description of the National Park and its attractions. It is possible that this Site plays an important ancillary, perfunctory role in the National Park; providing an important infrastructure facility to enable visitors to park in an area which will not detrimentally impact on the wider beauty of the National Park area and land which is remarked upon in its designation for its attractive and environmental features.
10. It is worth noting that siting within a National Park does not automatically preclude development, or advertisements, but it does mean that regard must be had to the special nature and characteristics of the National Park Area.
11. This Application seeks consent for the advertisements, due as a consequence of them being slightly larger in area than would be permitted under deemed consent by relevant legislation.
12. There is a small amount of what might ordinarily be considered operational development (and therefore falling under the definition of advertisement and potentially benefitting from deemed consent¹) in the form of two P&D machines and one ANPR camera installed within the Site. However, as they are directly and specifically related to the advertisements and their purposes in displaying the terms and conditions and operation of the site as a car park this Application asserts that they fall within section 336 of the Town and Country Planning Act 1990 (as amended).
13. For reasons mentioned above, but for the sake of completeness, the use as a car park is long established and does not form part of this Application. The Application seeks advertisement consent for signage and planning permission for associated infrastructure, namely ANPR camera, timber poles, boundary treatment and P&D machines.

¹ under section 336 Town and Country Planning Act 1990 (as amended)

Planning History

14. There is no planning history related to the Site.

Proposal

15. The landowner has asked the Applicant to take over management of the site in the continuation of use as a car park.
16. The Applicant operates car parking sites throughout the UK, including at several significant heritage estates. They have a proven track record of providing high quality, unobtrusive, unmanned, remote-management car parking facilities.
17. This Application seeks consent to display 6 advertisements on 4 timber poles and 1 ANPR camera, 1 CCTV camera and installation of 4x P&D machines.
18. All signs will be 600mm x 800mm and where displayed on poles, the bottom of the lowest advert will be at a height of approximately 2m from ground level. Poles will be 4m height (1m under ground, 3m above ground).
19. The P&D machines are not 'plugged in' to any mains. They are operated by solar and therefore there is minimal requirement to fix them to the ground and the operation consists of much less than some other methods of temporal installation e.g. sale signs for marketing purposes, or stakes to demarcate boundaries.
20. The entrance to the Site at present is through a steel/metal archway/goalpost meant to restrict access and egress and focus entrance on to the Site. The Applicant considers that a timber frame or post as part of a wider boundary treatment better protects access and egress, whilst enabling the use of 1 ANPR camera focused on the one point of entrance and egress, but also better reflects the special location of the Site within the wider National Park.
21. The installation of a small CCTV camera will better facilitate remote management of the Site and provide a safe environment for its users. The specification of CCTV camera has been carefully considered in respect of the area and its proposed height, to have minimal impact.
22. In addition to the associated infrastructure, the Applicant intends to install 4-6 solar panels in an adjacent parcel of land, within the same Landowner's ownership. This will provide the power required for the operational changes in relation to the Applicant's management of the Site.
23. The panels will be sited around 20m away from the Site to avoid vandalism. They will feed 2x leisure batteries in a green haldo cabinet at the foot of the camera pole.
24. For the sake of completeness, although mentioned in this Application express consent is not required for the installation of solar panels in the adjacent field. Mention is made in this Application for the purpose of formal recording and more detail in terms of provision of power, in respect of deliverability of the scheme. However, the provision is wholly within permitted development rights because the Applicant intends to comply with the limitations and conditions set out, namely not to:
 - a. exceed 4m height
 - b. position within 5m of property boundary
 - c. exceed 9sqm (usually 4-5 large panels)

- d. face onto a highway if within a conservation area or world heritage site
- 25. The Applicant intends to operate and take on responsibility for the operation, management and maintenance of the car parking facility on this site. The Landowner has consented to and formally requested the Applicant's management and operation on this site.
- 26. Whilst the Applicant and Landowner are desirous to have this facility in place for as long as it remains viable and in use/needed by those using it, they recognise that - at least in respect of advertisement consent - it might be necessary to review the consent/permission in 5 years.
- 27. It seeks to make best use of the site without causing any detrimental impact or frustrate its potential as a future development site, given its brownfield nature and open aspect, within a built environment.

Legislation

- 28. South Downs National Park was designated in 2010 and enjoys the highest level of protection in terms of landscape and scenic beauty.
- 29. The purpose of a National Park is to
 - a. Conserve and enhance the natural beauty, wildlife and cultural heritage and
 - b. Promote public understanding and enjoyment of their special qualities.
- 30. In relation to the planning functions governing the Site, South Downs National Park has delegated its functions to Lewes District Council.
- 31. The retention of this Site as a low lying, existing car parking area, whose use will not detract from surrounding National Park features and assets, means that for the time being at least there is an option to those using their cars/vehicles to park in the area which prevents unauthorised or displaced parking within the more sensitive locations.
- 32. The Site is not a Site of Nature Conservation Importance, a Local Wildlife Site, a Site of Importance for Nature Conservation, a Local Nature Reserve, or Geodiversity Site, nor is it considered to hold any features that might attract any protected species, nor grow or hold any protected habitat.

Planning Policy

- 33. South Downs National Park Authority Local Plan, adopted July 2019
 - a. Strategic Policy SD4: Landscape Character
 - 2. Where development proposals are within designed landscapes, or the setting of designed landscapes, (including historic parkscapes and those on the *Historic England Register of Historic Parks and Gardens*) they should be based on a demonstrable understanding of the design principles of the landscape and should be complementary to it.
 - b. Strategic Policy SD5: Design

1. Development proposals will only be permitted where they adopt a landscaped approach and respect the local character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area. The following design principles should be adopted as appropriate:
 - a) Integrate with, respect and sympathetically complement the landscape character by ensuring development proposals are demonstrably informed by an assessment of the landscape context;
 - b) Achieve effective and high quality routes for people and wildlife, taking opportunities to connect GI;

c. Strategic Policy SD6: Safeguarding Views

3. Development proposals will be permitted provided they conserve and enhance sequential views, and do not result in adverse cumulative impacts within views.

d. Strategic Policy SD7: Relative Tranquillity

1. Development proposals will only be permitted where they conserve and enhance relative tranquillity and should consider the following impacts:
 - a) Direct impacts that the proposals are likely to cause by changes in the visual and aural environment in the immediate vicinity of the proposals;
 - b) Indirect impacts that may be caused within the National Park that are remote from the location of the proposals themselves such as vehicular movements; and
 - c) Experience of users of the PRoW network and other publicly accessible locations.

e. Strategic Policy SD8: Dark Night Skies

1. Development proposals will be permitted where they conserve and enhance the intrinsic quality of dark night skies and the integrity of the Dark Sky Core as shown on the Policies Map.

f. Development Management Policy SD21: Public Realm, Highway Design and Public Art

3. Site layout must be designed to protect the safety and amenity of all road users. The design and layout of new development must give priority to the needs of pedestrians, users of mobility aids, cyclists and equestrians. Movement through the site must be a safe, legible and attractive experience for all users, with roads and surfaces that contribute to the experience rather than dominate it.

g. Development Management Policy SD22: Parking Provision

1. Development proposals for new, extended or re-located public parking will be permitted provided that they are located in or adjacent to the settlements listed in Policy SD25: Development Strategy, or have a strong functional link to an established cultural heritage, wildlife or landscape visitor attraction, provided that:
 - a) There is evidence that overriding traffic management or recreation management benefits can be achieved;
 - b) It is a component of a strategic traffic management scheme which gives precedence to sustainable transport; and
 - c) The site is close to and easily accessible from main roads by appropriate routes, and well connected to the PRoW network.

Materials

34. The Applicant has spent a considerable amount of time and money honing his model of operation in particular response to the increasing demand for heritage landowners to consider commercialisation, in order to meet the costs of custodianship. He has engaged specialist signwriters and design professionals who work directly with landowners to create bespoke designed advertisements to best reflect signage already accustomed in these areas. This Application would be no different.
35. To the same aim, sizes of adverts and characters contained thereon are kept to a minimum and numbers of advertisements and new poles similarly.
36. New poles are made of timber to better reflect the heritage character of the areas within which these operations now sit. They are maintained by the Applicant for the lifetime of the car park operation.
37. P&D machinery is solar powered, which means it does not require cabling or connecting into electricity networks. This also means that the machines can be more sensitively located.
38. ANPR cameras are kept to an absolute minimum and have been sourced in the smallest size. They are usually smaller than most standard CCTV cameras, so not out of place or unduly intrusive in the appearance of buildings or features of importance.
39. Signs are made from sheet-aluminium using bespoke colours agreed with the Landowner, to best reflect the remaining signs that are usually displayed within similar heritage estates, which draws visitors and guests.

Planning Principle

40. The proposal provides a kind of interim use of the Site from a planning and environmental perspective, creating minimal impact on the existing land and surroundings. It seeks to continue the use as car parking, without any of the dominant operational development akin to parking spaces in less rural areas e.g. hardstanding and demarked parking bays.

41. Whilst this proposal will seek to continue a revenue stream for the Landowner, who may use it for their wider estate responsibilities, the use of the Site as a car park will also not prevent potential consideration of the Site for more strategic development proposals in the future.
42. This proposal will allow for economic and social benefits to stem from the use of the Site in the short-term, without any characterful change to the Site. This Application in part seeks to record the use of the Site for car parking, whilst introducing elements of traffic management and demarcation against the highway/rural road network, which might otherwise cause conflict between road users and those wishing to park and or enter or egress the Site.

Status quo

43. If this Application was to fail the use of the site for car parking could remain, albeit without the proper management and associated advertisement that would result from granting this Application.
44. It is likely however that the financial burden of maintaining the area might result deterioration of the site. Maintaining the status quo could have a negative impact on the wider National Park Area, whereas the introduction of new management of this thoughtfully considered car parking operation will introduce a viable interim use without prejudicing the long-term development potential of the site, whilst providing an attractive enhancement to the current appearance of the site.
45. In conclusion, the scale and nature of the development/use proposed in the Applications in whose support this Statement is submitted is sympathetic and sensitive taking into full account the area within which it is proposed and its heritage and ongoing attraction. The Applicant and landowner have agreed installation of structures and display of signs in positions to minimise the impact and to best suit surrounding conservation area.

Pamela Chesterman, Legal Director
Planning & Environment – Real Estate
Brabners LLP
8 July 2022