

Planning Support Statement

Proposal: (Retrospective) Installation of Payment Machine, ANPR Camera and Associated Infrastructure

Location: Portholland West Car Park, Caerhays Estate, St Austell, Cornwall, TR2 5PU

Applicant: Initial Parking Ltd, Suite 83, 51 Pinfold Street, Birmingham, B2 4AY

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Introduction

1. We are instructed to act as Agent and to prepare and submit an application on behalf of Initial Parking Ltd, Suite 83, 51 Pinfold Street, Birmingham, B2 4AY for planning permission (“**the Applicant**”).
2. The Applicant acts with the consent of the landowner, Caerhays Estate who has asked the Applicant to take over operational management of the car park.
3. This statement supports the Applicant’s operational management of the car park known as Portholland West Car Park, Caerhays Estate, St Austell, Cornwall, TR2 5PU (“**the Site**”).
4. Advertisement consent was granted 26 September 2023 for signage in association with the use of car park. This application seeks permission for the supporting infrastructure including a pole for the ANPR camera, pay & display machines.
5. This statement is accompanied by the following documents:
 - a) Application form;
 - b) Existing and Proposed Site Plans;
 - c) Proposed Elevations;
 - d) Flood Map for Planning;
 - e) Officer’s Report from Committee November 2021;
 - f) Decision Notices from Committee November 2021; and
 - g) Advertisement Consent granted September 2023.

Site and Surrounding Area

6. The site (seen at Figure 1 below) is located north of Pengelly Farm and forms part of the Caerhays Estate which is a visitor attraction of the South Cornish Coast near St Austell.



Figure 1 - Aerial view of the Site (Google Earth)

7. The Site is an open area of land used by the general public to park their vehicles in order to access nearby amenities such as the Carehays Estate and the coastline.
8. The Site is within the South Coast Central Area of Outstanding National Beauty (“**AONB**”) with part of the Site within the impact risk zone of a Site of Special Scientific interest. The nearest heritage asset is Lime Kilns, a Grade II Listed Building.

Planning History

Planning Permission

9. In May 2021, a similar application was submitted to Cornwall Council, but planning permission was refused in November 2021 for one reason:
10. *The proposed parking meter infrastructure, in combination with the adjoining ANPR camera and support post, would represent alien and visually intrusive man-made features which would fail to conserve or enhance the landscape character and scenic beauty of the AONB in which the site lies or the setting of the adjoining listed historic lime kiln structure due to their design and scale, in conflict with policies LA1, LA2, CV2, GP1 and CD1 of the Roseland*

Neighbourhood Development Plan 2015-2030, Policies 12, 23 and 24 of the Cornwall Local Plan 20165, Policies MD9 and SCC9.02 of the AONB Management Plan 2016-2021 and paragraphs 8, 130, 174, 176 and 198 of the National Planning Policy Framework 2021.

11. Interestingly an Informative was added which explained that this decision was made by Councillors of the Planning Committee, against Officer recommendation. It states:

The Local Planning Authority as acted positively and proactively in determining this application by identifying matters of concern with this proposal. Members of the Planning Committee are not bound to accept the advice of officers. As officers advice has not been followed, reasonable planning grounds have been given for taking a contrary decision which is clearly set out in the reasons for refusal. The issues are so fundamental that it is not possible to negotiate a satisfactory way forward due to the harm that has been clearly identified within the reasons for refusal.

12. The officer's report that had been presented to Planning Committee November 2021 included 3 conditions that the officers considered necessary in order to bring the proposal in line with policy, they were:

The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In accordance 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).

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

Within two months of the date of this planning consent the existing ANPR camera support pole and associated camera housings and equipment shall be painted black in accordance with approved drawings referenced 129261-04 Revision B and 129261-02 and shall be retained as such thereafter.

Reason: To protect the character and appearance of this coastal hamlet site, the wider Area of Outstanding Natural Beauty and the general locality, including the

setting to the historic listed lime kilns structure sited to the north, in accordance with the aims and intentions of Policies 12, 23 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030, Policies LA1, LA2, CV2, GP2 and CD1 of the Roseland Neighbourhood Development Plan 2015-2030 and paragraphs 130, 174, 176 and 197 of the National Planning Policy Framework 2021.

Advertisement Consent

13. At the same time as the May 2021 application for planning permission an associated application was submitted seeking advertisement consent in association with the use of the car park. That application was given reference PA20/11299 and was similarly refused at the same Planning Committee November 2021.
14. The reason for refusal was based on the same policies as the application for planning permission and was also against officer recommendation.
15. Each refusal was appealed to the Planning Inspectorate (PINS). Unfortunately due to administrative errors with the PINS which the Agent at the time was unable to resolve, only the advertisement consent was accepted as a valid appeal application.
16. Unfortunately, as a consequence of pressures on resources a decision was not reached by PINS until 26 September 2023. PINS allowed the appeal and granted express consent for the display of signage in association with the use of the car park in order to inform users of the Terms and Conditions and use of ANPR camera.
17. There is no other relevant planning history relating specifically to this site.

Proposed Development

18. The current application seeks retrospective permission for the same development as previously proposed and the same development as associated with the advertisement consent, which is:
 - 1x high-definition MAV PV dual lane camera;
 - 1x pole (to attach the camera); and
 - 1x Parkeon Strada coin/wave pay and display machine

19. Planning permission is being sought to upgrade the method for payment of parking on Site previously operated by an 'honesty box.' This system does not set a tariff for parking fees and currently relies on the good will of users to pay a reasonable contribution for the length of their stay. This current system is not utilised by all users and has been subject to vandalism, both of which is negatively impacting the Site in respect of availability of funds for maintenance and appearance.
20. The site has a long-standing history, in excess of 13 years, of being utilised as a car park. This has played an important function in ensuring the longevity of tourism in the area. Therefore, it is unlikely that the introduction of a pay and display system will generate greater use or impact than at present.
21. The introduction of a pay and display function will be of benefit to the Site and the Local area by providing a consistent revenue stream, of which contributions can be reinvested into the Sites ongoing maintenance. These consistent funds will also be used to outsource the responsibility for managing the Site to a separate company whose principle aim is car park operation. This company has a proven track-record throughout the UK and will ensure the Site is kept to a good standard and provide a safer parking experience for its users.
22. Outsourcing to a private company will in turn see benefits to the wider Caerhays Estate, of whom representatives are currently responsible for managing the site. It will ensure funds for maintenance and repairs are not to be detracted from the Castle and the Estate Land, but also that greater time and revenue can be directed to these areas.
23. The advertisements which will be displayed in relation to this proposed development have already been granted advertisement consent in September 2023.

Flood Risk

24. The Site is located in an area lying within Flood Zone 3.
25. However, it is not considered necessary to provide a fully detailed risk assessment given the proposal does not affect its long-established use and only seeks permission to install minimal infrastructure with little or no need to carry out operational development that might otherwise affect the flood zone or the users of the Site i.e. a pole and payment machines.

Area of Outstanding Natural Beauty (“AONB”)

26. The South Coast Central is an AONB (now called National Landscape). The proposal sits within this AONB and does not seek to negatively impact or detract from the natural beauty of the coastal areas in any event.

27. If permission is granted, minor infrastructure will be installed to aid the car parks existing use. There will be no change of use nor development on the site which would visually impact the car park.

Heritage Impact

28. The Site adjoins the Grade II Listed Lime Kilns, composed of two lime kilns dated circa 18th Century and first listed in 1985. Further, the Site is adjacent to the Heritage Coast known as Roseland.

29. The Site has been in existence for a long period of time and this application does not seek to change its use nor does it propose large physical development changes. If approved, minor infrastructure of a camera and payment machines will be installed.

30. Accordingly, it is not considered necessary to provide a Heritage Statement as the proposal does not directly impact the site of the Listed Building nor is it within a designated heritage area. No infrastructure is proposed to be site against the listed building, nor attached to any heritage feature.

Planning Policy

31. At present, the local policy for the area is contained within the Cornwall Local Plan adopted in November 2016, which covers the period up to 2030.

Cornwall Local Plan

32. The installation of pay and display machine, ANPR camera and a pole is supported when considering the following relevant policies in the local plan:

Policy 3: Role and function of place

Granting the permission will conserve and enhance the landscape character and natural beauty of the AONB.

33. There will be minor infrastructure installation on site which in aid of the Sites current use will not impact the beauty of the AONB and ensure it is enhanced by attempting to reduce the instances of vandalism on site.

Policy 5: Business and Tourism

Granting permission will allow for necessary upgrading of a tourist facility and the consistent revenue stream which will come from the minor infrastructure will lead to the enhancement of the Site through ongoing maintenance.

34. The installation is also at an appropriate scale to the size of the location.

Policy 21: Best use of land and existing buildings

The proposal seeks to utilise previously developed land which is not of high environmental or historical value.

Policy 23 – Natural Environment

35. The minor infrastructure installation is in line with the Sites existing use, and which will conserve the landscape of both the AONB and Heritage Coast.

Policy 24 – Historic Environment

The proposal is in line with the Sites existing use and so the cultural distinctiveness and significance of Cornwall's historic coastal environment will be maintained.

36. The installation of minor infrastructure will bear no impact on this and the benefits a continual revenue stream can provide the outsourcing of maintenance to a private company hopes to protect, conserve and enhance heritage assets and their settings.

National Planning Policy Framework (“NPPF”)

37. The revised National Planning Policy Framework was published in December 2023 and provides the over-arching guidelines for the planning system.

38. Paragraph 203 of the NPPF states that local planning authorities should take into account the following:

- a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

c) the desirability of new development making a positive contribution to local character and distinctiveness.

39. The proposal, if granted, would see an increase in funds for maintenance and repairs to the Castle and the Estate, with the Site being able to provide its own continual revenue income stream to be used for these purposes.

40. This would not only provide positive contributions to the local area by having a safer and well maintained site but will also positively benefit the Estate and heritage assets nearby in view of the greater time and revenue that can be re-directed to these areas.

Conclusion

41. The installation of pay and display machines, a pole, an ANPR camera and associated infrastructure will bring the site up to BPA Standards and improve the user experience of parking at the Site, as well as making for a much safer experience for users and the surrounding areas.

42. The proposed development will ensure the longevity of the Site's existing use, whilst allowing the landowner to receive more steady and reliable income which may be used to help maintain the wider Estate.

43. The proposal seeks minor works to install the necessary equipment on site which will not constitute a large physical development and not have a visual effect on its nearby historic coast or AONB.

44. This application is supported by the recently granted advertisement consent which makes no sense on its own, with the supporting features (pole and P&D machine) being dependant on the grant of the associated planning permission. We make reference to the decision of PINS on that advertisement consent in particular response to the objectors to the previously proposed schemes:

11. The proposed signs would be located within the confines of the car park, modest in their size and number and set back from the public highway. Accordingly, they would be seen in the context of the use of the site as a car park, they would have a very localised impact and would not detract from the wider landscape setting of the car park or how it is appreciated, including from the SWCP. As a result, the proposals both individually and cumulatively would conserve the natural beauty of the landscape.

12. To conclude, I find that the advertisements would not be harmful to the amenity of the area. In reaching this conclusion, I have had regard to the statutory duty on me to have regard to the purpose of conserving and enhancing the natural beauty of the AONB and Paragraph 176 of the Framework which requires that I give great weight to conserving and enhancing landscape and scenic beauty in the AONB.

45. It is therefore respectfully requested that this application be positively considered and retrospective planning permission be granted to further support the continued use of the car park alongside the advertisement consent granted on appeal.