

Application No:	<u>3/18/21/002</u>
Parish	Kilve
Application Type	Full Planning Permission
Case Officer:	Briony Waterman
Grid Ref	Easting: 314512 Northing: 144240
Applicant	The Trustees SWLT
Proposal	Installation of camera and 2 No. ticket machines with hard surfacing of internal road layout with removal of 4 No. signs and redundant ticket machine (retention of park works already undertaken)
Location	Kilve Beach Car Park, Sea Lane, Kilve, KILVE

Recommendation

Recommended decision: Grant

Recommended Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 18.03.21 Rev A Site Plan Proposed
(A3) Location Plan
(A3) Camera and Ticket Machines
(A3) Site Plan Existing

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

- 2 A landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior to such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.

(ii) The scheme shall be completely carried out within the first available planting season (1 October to 31 March) from the date of commencement of the development. Written confirmation of the completion of the landscaping scheme shall be submitted to the Local Planning Authority.

(iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow or are uprooted shall be replaced by trees or shrubs of similar size and species.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

- 3 The redundant ticket machine and the four signs shown on the Site Plan as Existing shall be removed within three months of the date of this decision.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

Informative notes to applicant

- 1 In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
- 2 The applicant should be aware of the comments raised by the Environment Agency in relation to lack of flood warning available at the site and the need for the applicant to erect signs warning the public that the car park is liable to flood. In addition the Environment Agency has asked for a way of preventing people accessing the site in the event of a flood, and an emergency and evacuation plan should be prepared.

Proposal

Permission is sought for the installation of camera and 2 No. ticket machines with laying of hard surface area and hard surfacing of internal road layout with removal of 4 No. signs and redundant ticket machine (retention of park works already undertaken).

Site Description

The car park is located at the northern end of Sea Lane and is on privately owned land with access to Kilve Beach via a footpath to the North West. There is a small bridge at the entrance to the area and the parking meters and camera are located to the east as you enter the site. On the approach to the entrance are four signs, two on each side, advising drivers of the need to pay to park and it is private land. At the time of the site visit the area around the ticket machine was churned up mud. Further towards the main car park a number of signs are located along the boundary with the lane and towards the river. The car park is informal parking, in that there are no delineated spaces. There are trees to the East and West boundaries and the road to the north leads to the cricket club. The site lies within the Quantock Hills

Area of Outstanding Natural Beauty and to the north of the Chantry and St Marys Church both Grade II* listed buildings. A public right of way runs north through the site.

Relevant Planning History

No relevant planning history.

Consultation Responses

Kilve Parish Council - Objects to the unconsented extension to the Kilve beach car park and advises that the area should be returned to its pre-July 2020 condition.

The East Quantoxhead Estate (EQE) purports to operate on the 'Triple Bottom Line principle balancing environmental, social and financial considerations'. The unconsented works fall far below each of these principles.

Trip Advisor evidences the impact: from 6/19 to 7/20 of 15 posts about Kilve Beach 9 were 5* using the words: incredible, gorgeous, amazing, fantastic, wonderful and stunning.

Since July 2020 28 posts gave 1* using the words: bad experience, outrageous car parking, car parking scam - don't visit, avoid due to parking scam, parking fine even though i paid, awful- stung by fine, car park thieves, don't visit, exploitative parking fine compacy, extremely disappointing, hit with £100 fine - shame on you Kilve, nasty car park spoils lovely part of the world.

Clearly, opinion of Kilve village & beach has gone through a paradigm shift; predominantly positive encouragement to visit before the unconsented works, became extreme warning to avoid the area afterwards.

This action by EQE has destroyed any attempt at the principle of a Social Bottom Line. Policy 3 AONB conservation of the natural beauty of the landscape should be given priority over other planning considerations. Particular care should be taken to ensure that any development does not damage the landscape character of the area.

The unconsented extension includes the removal of wooden posts that protected the unimproved grassland and the tall herb and scrubland that bordered the public right of way to the beach. These were biodiverse habitats that supported wild birds, bats, small mammals, amphibians, insects and local flora. The work included scraping back the area with a mechanical digger. There was no published ecological survey of this land. It is now deeply rutted mud. This is in contravention of Policy 3, amongst others. The landscape character of the area should be restored.

The new signage is not in keeping with the AONB or the SSSI that is accessed along the public right of way. It is also at odds with the setting of the listed buildings.

When the area is restored as expected the new signs in the existing car park should be agreed with AONB officers to ensure they are in keeping.

Policy LB/1 Listed buildings and alterations will only be permitted where its features and settings are preserved.

The works to the extend the car park include urban signage, ticket machines, camera mast with anti-climbing spikes and electrical cable suspended in the Kilve Brook, Damage to the features and setting should be rectified to the satisfaction of AONB officers and KPC.

Policy 9 The Built Historic Environment The Character or appearance of Conservation Areas should be preserved or enhanced.

Urbanisation of the beach car park at Kilve is a retrograde step in relation to preserving the character and appearance of this area. The disingenuous design appears to have been developed in a way that traps customers into paying fines. The unconsented design encourages people to park in the extension area rather than the existing car park. The charges and reputation for fines also encourages visitors to park in Sea Lane. This is particularly acute near the Grade II* listed St Mary's Church and in the passing spaces. The placement of the ticket machines and ANPR camera and the fact the machines are cash only, coupled with a short grace period conspires to catch the unwary, drivers with carer duties and the disabled.

Policy CF2 relates to reducing ill health to maximise the attractiveness of walking and cycling and the provision for disability access.

The proposal makes no provision for disability access to Kilve Beach and coastal walks. The design disadvantages people with mobility issues. No spaces are allocated to the needs of people with disabilities. There are no concessions. It is 285m from the parking area near the beach to the ticket machine. A wheelchair user would find it difficult to reach the ticket machine in time and across the muddy access.

Walkers and cyclists are challenged in Sea Lane where it becomes narrowed when people park on the roadside to avoid the penalties and charges. This has become more of an issue since the ANPR camera was installed.

There is no evidence in the application for the need for additional spaces, 19 is a small benefit in relation to the environmental decision on the balance of harm caused against the perceived benefit gained.

Policy CC4 Development within the coastal zone.

The statement suggest the original car park cannot always accommodate all the cars. This assertion is not backed up with any empirical data. It is not clear why this is an essential development. The existing car park has been measured and generously accommodated 103 parking spaces. This is far in excess of the 67 the application proposes. The area should be restored to its original footprint until appropriate data is available. There is no environmental assessment of the impact of additional vehicles and people or the waste resulting from them.

The new camera sustem with associated charges and penalties is causing people

to park in Sea Lane more frequently. This has a cumulative impact on residents in Sea Lane, access to the farm & Chantry & to St Mary's Church.

Policy NH1 Proposals for development should sustain &/or enhance the historic rural urban & coastal heritage

The Statement suggests that income from the extended car park will contribute to completing the stonework being carried out to the Chantry. Whilst maintaining the Chantry is an obligation on the EQE it is not a justification for the harm to the environment & reputation of Kilve & should be met with or without the car park revenue.

Policy NH2 relates to the management of heritage assets & while this proposal is not directly related to the management of a heritage asset it is still considered relevant as the setting of the nearby listed buildings are affected by the proposal.

Policy NH14 QHAONB Applications for development should have regard to location, siting, orientation & landscaping to achieve high quality design & to ensure that the proposals conserve or enhance the natural beauty, wildlife, cultural heritage & tranquillity of the AONB

The proposal attempts to regularise the unconsented work carried out without addressing the key issues. The environmental impact significantly affects the biodiverse area from Sea Lane to the beach. There is a serious adverse effect on the visual appearance of the site. The urban nature of the camera mast & signage is not in keeping with the AONB & should be removed. Examples of alternative approaches are available in other AONB/National Parks car parking settings that could have inspired the development of the existing Beach Car Park. It is a challenge to the Triple Bottom Line Environmental principle.

Policy NC/1 The application site lies close the boundary of the Blue Anchor to Lilstock SSSI The need & reasons for the development have not been justified in the proposal. There is no detailed account of why the car park should be extended except from the clear commercial nature of the charges & penalty regime. This policy cannot be shown to be met. It is also a challenge to the Triple Bottom Line Financial principle.

Policy T/6 Planning permission for public or communal car parking

None of this policy is met by the unconsented works. The design appears to minimise the infrastructure costs & maximise the revenue with scant regard for the (presumably) unintended consequences of bringing the name of Kilve into disrepute. At peak times, Sea Lane is very busy. Since more people park in Sea Lane as a consequence of the car park charges & penalties, congestion & increased risk now exist. The hazard to road users is increased.

Policy T/7 outlines how many spaces are required for various uses

The proposal suggests that the car park extension would provide additional parking for the Church & Chantry. This is unlikely as the Chantry Tea Room has an adequate car park. The existing car park has more spaces than the proposal requires.

Policy T/9 Relates to developments incorporating footpaths into the design, taking

care to ensure that it is attractive & safe

The footpath & public right of way passes down the main access road to the existing car park. The unconsented extended car park now involves cars queuing in this area. The safety of pedestrians in this area has not been improved.

Policy R/12 Relates to permitting developments which would facilitate/enhance informal recreational activities & access related to the enjoyment & interpretation of the countryside:

(i) Be integrated with the Public Rights of Way system or public transport network.

(ii) Not adversely affect the character of the area; &

(iii) Not be likely to have an adverse effect on other land uses in the vicinity

Re. (ii) This development, if retained & approved, adversely affects the character of the area. It has a major impact on the appearance of the site.

Re. (iii) Adverse effect on agricultural operations. A significant amount of farm traffic uses Sea Lane, particularly between April & August. North of its junction with Hilltop Lane, Sea Lane is a cul-de-sac. Farm traffic, often with large trailers in tow cannot reverse easily when confronted with ordinary private traffic. Farm operations & road safety issues are often compromised when drivers park in Sea Lane. The increased ticket price for parking, together with the proposed changes is likely to exacerbate this situation.

In summary, the character of Kilve has been significantly impacted by the unconsented works. This has not enhanced recreational activities/enjoyment of the countryside. The environmental impact is unquantified. The EQE Triple Bottom Line ambitions of environmental, social & financial principles have been eroded

Conservation Officer - I have no objection to retention of the extension or the surfacing. I have no objection to removal of signs, ticket machine or introduction of a camera. The amount of signs to be retained should be kept to a minimum and removal of some signs is to be welcomed.

Highways Development Control - No observations

Rights of Way Protection Officer - We have no objections to the proposal, subject to the following:

1. General Comments

Any proposed works must not encroach onto the width of the PROW.

The following bold text must be included as an informative note on any permission granted:

Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted

that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so. If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

A PROW being made less convenient for continued public use.

New furniture being needed along a PROW.

Installing any apparatus within or across the PROW.

Changes to the surface of a PROW being needed.

Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- make a PROW less convenient for continued public use; or
- create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure:

<https://www.somerset.gov.uk/roads-and-transport/apply-for-the-temporaryclosure-of-a-right-of-way/>

SCC - Historic Environment -

Environment Agency - The Environment Agency OBJECTS to this application as it is not supported by a Flood Risk Assessment (FRA). We are therefore unable to determine if the development is in accordance with the National Planning Policy Framework (NPPF).

The application site lies within Flood Zone 3, which is land defined by the planning practice guidance as having a high probability of flooding. The NPPF (paragraph 163, footnote 50) states that an FRA must be submitted when development is proposed in such locations.

A FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. This is sufficient reason for refusing planning permission.

The FRA will need to confirm that the ground level has not been raised as a result of the work. If it has, floodplain compensation will need to be provided or ground returned to the previous level.

The site is at risk of flooding from the river and flood warning is not available for this area. Therefore, there is no means to warn people when flooding could be expected.

The applicant will need to make the site safe for its users. As a minimum the applicant will need to erect signs warning the public that the car park is liable to flood. Ideally there should be a way of preventing people accessing the site in the event of a flood, and an emergency and evacuation plan should be prepared.

To overcome our objection, the applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere.

Where possible, it should reduce flood risk overall.

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it.

Somerset County Council - flooding & drainage - no comments received

SCC - *Ecologist* - No comments received.

Quantock Hills AONB - The Quantock Hills was the first landscape in England to be designated as an Area of Outstanding Natural Beauty (1956). The primary purpose of AONB designation is the conservation and enhancement of the landscape's natural beauty. The Quantock Hills AONB Service, on behalf of its Joint Advisory Committee, undertakes its work according to this primary purpose – to ensure this beautiful and nationally protected landscape remains outstanding now and into the future.

Please accept the following within this context.

It is not clear from the application where the actual boundary is between the proposed and existing car parks and why there needs to be a total of 9 signs to cover this area, (not including the camera mast and ticket machines). Inappropriate design and quantity of signage can cause harm to the protected landscape within the AONB as is clearly shown by the current arrangement. Although the application proposes to reduce the number of signs by 4 and relocate some of the existing signs, this does not represent enough mitigation to warrant acceptance. The urbanisation effect of these proposals is what is causing harm.

The primary consideration however is whether this extension is actually needed and if so, whether this need outweighs the potential harm to the landscape and character of the area. Google Street View compared to the current photos seem to illustrate this point. The proximity of the historic buildings must also be taken into account. It is not just the infrastructure that has an impact but also the parked cars themselves. The AONB's primary purpose is to conserve and enhance the protected landscape.

"In exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty"

The need for this extension has by no means been proven as The Design and Access and Heritage Statement clearly states that the extension is not being provided for extra users, "The car park extension has not been proposed to attract extra users but to accommodate those who already use the existing car park". However, it seems that the extension is required because of the following statements,

"as it has been proven that the car park extension is required as the original car park cannot always accommodate all the cars especially in the summer months." and

"As the extension has been provided as the original car park cannot always accommodate all the cars there is no over provision of parking."

Within the application there appears to be no evidence to prove that this extension is required, contrary to the rather vague statements above. In fact, there appears to be clear evidence from the Parish Council and other local people that the available spaces in the existing car park are sufficient.

The National Planning Policy Framework (NPPF revised June 2018) provides specific planning guidance in relation to AONBs, stating in paragraph 172 that, Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

The 'great weight' test is a significant one and the AONB Service therefore asks that when making a decision, the Planning Authority gives due consideration to the above, especially paragraphs a) and c).

The AONB Service therefore does not support this application as it is at odds with National and Local Planning Policy relating to AONBs. The importance of the tourism industry to the local economy is recognised but it is essential that the very reason for people wanting to visit the Quantock Hills is not compromised by the inappropriate siting of support facilities.

The permanent change to the landscape's character that will result with this development is

marked and it is not clear how this change will conserve or enhance the AONB. The removal of the wooden bollards, erected under grant aid from Natural England to protect the verges, has not helped conserve or enhance the area. It is considered important to draw your attention to the Quantock Hills Management Plan 2019-2024, Chapter 2.6 'Development Planning and Infrastructure'

The impact on the AONB's special qualities by development in the setting of Quantock Hills needs to be fully considered in the planning process in line with NPPF paragraph 172. The setting of the Quantock Hills AONB is the area within which development and land management proposals, by virtue of their nature, size, scale, siting, materials or design can be considered to have an impact, positive or negative, on its natural beauty and special qualities. This includes threats to tranquillity from light pollution, recreation and tourism pressures, traffic and noise.

It is not in the interests of the AONB Service to object to planning applications where it is not considered there to be a threat to the natural beauty and character of the landscape. The Quantock Hills and the immediate environs form a living and working landscape which will not remain unchanged but the key consultative role that the Service has is to try to help ensure that change does not threaten the special character and qualities for which this landscape is recognised and nationally designated.

Habitats Regulations Assessment

Due to the location and nature of the proposal it is considered that a HRA is not

required.

Representations Received

35 letters of objection making the following comments (summarised):

- Not in keeping with the area
- destruction of wilder grass banks in search for more car parking spaces
- Signage has resulted in an eyesore
- Machines should be closer to the main car park and allow paybyphone or card payments, heavy fines for those who park, walk up, realise it is cash only and then leave as they have no cash
- putting a reinforcement and re-seeding would eliminate the muddy mess
- Damage to the grass verges
- too many signs
- Current installation does not appear to meet any of the local policies to conserve and enhance the special character of the AONB
- Within the Quantock Hills AONB and SSSI
- Nearby listed buildings, St Marys Church, The Chantry
- machines and signs are unsightly and negatively impact on the historic character of the area
- wording of the signs can be perceived as aggressive in nature and negatively impact on the sense of place
- Now charging disabled drivers to park, previously free, kilve beach front is the only outdoor area in Kilve parish which is accessible for wheelchair users, if they are now charged appropriate facilities need to be provided, current machines are too high, no disabled spaces laid out.
- The setting is a rare and unusually well-preserved encapsulation of a former rural England, dating to at least the 14th Century.
- Meters and signage are insensitive and out of keeping with the aesthetics and history of the area
- proposed laying of tarmac or concrete in place of wildflowers and grassland on verges completely changes the character
- Over zealous use of fines does nothing for the tourism industry which West Somerset depends
- application attempts to downplay the impact on the environment by referencing the changes from what is there now
- application is retrospective, no attempt to liaise with local residents
- changes have destroyed a previously dense, beautiful wildlife area, no attempt to compensate by improving the environment elsewhere
- changes have already resulted in a reduction in the beauty of the spot- as evidenced by the number of negative comments on trip advisor, entire site is now mud and bare earth
- the application understates the capacity of the existing car park which was rarely, if ever full.
- the illegal signage causes confusion, visitors contact the parish to complaining which impacts adversely on the reputation of the village
- the inability to pay other than in cash and the mudbath means cars parking along the narrow approach road, could lead to problems for farm and emergency vehicle

- application claims that the car park visitors can use the Chantry tea rooms which is not necessary as the tea rooms have ample parking of its own, likewise the church.
 - SW&T have not been given the full "before and after" picture of the condition of the site prior to the works being carried out last summer
 - Area was protected from vehicular use and damage by rows of wooden bollards along the roadside - protecting the grassland behind
 - Contrary to policy NH14 - detract from the rural appearance of the site
 - Contrary to policies 3 and 9 does not preserve and/or enhance the setting
 - no need for car park to be extended, nor has a need been demonstrated
 - The camera should be located off the public right of way so as to capture only those intending to park
 - SW&T should not approve this application as it is easier and more convenient to do so.
 - two machines erected at the entrance should be in the existing car park further down
 - Parking charges are too high
 - Amount of traffic up and down sea lane will only get worse
 - No evidence of planning notification on the site
 - Not in keeping with this AONB
 - Only accept cash,
 - Signage for the car park is not in keeping
 - ill-conceived and poorly considered plan
 - little regard has been given to the regulations and byelaws pertaining to the changes in the AONB and close proximity to an SSI
 - new parking area needs to be returned to its previous natural state
 - cricket ground must be accessible for members and teams without incurring fines
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- changes to the carpark should be more sympathetic to the AONB
 - payment should be more transparent and user friendly
 - should refuse the application and instruct the immediate repair and reinstatement of the verges
 - Cash only does not facilitate an easy or COVID safe payment in an increasingly cashless society
 - mental well being of residents cannot be ignored, muddy mess and destruction of a beautiful area causes stress and anxiety
 - deprives us of the enjoyment of our local amenity
 - saddened to see the extent of urbanisation
 - placing the meters together leads to a bottleneck
 - damage to the relationship between the estate and the community
 - about profit not than benefit for the community or the environment
 - added inconvenience of giving cricket club number plate so don't get issued with a fine
 - no positive development proposed to negate the impact of the extended car park
 - Wooden posts should be reinstated
 - contrary to policy LB/1 and HH1 and T/7
 - Despite the application stating some signs will be removed it is an increase in signs of 5 from what was there before
 - no evidence of demand for increased parking
 - no current control of spacing between vehicles, half-round timber stapled into the

ground or short wooden posts at the end of each bay to guide drivers, either would be aesthetically and environmentally acceptable route more so than the new parking area

- meters are too far from and outside of the original car park
- Sea lane becoming far too busy with traffic and be even more dangerous for walkers
- misleading to the location of the main car park
- example of creeping urbanisation into the countryside

One letter of support making the following comments (summarised):

- Local post office and shop benefit from the trade as do the pub, tea rooms etc.
- additional car parking should be tarmac or hardcore to prevent a mudbath
- Beach will be packed in summer regardless of the car park planning application, expanding the car park will help prevent cars parking down Sea Lane
- Better to have the trade and a thriving village than a ghost village
- Proposal to remove the redundant ticket machine and sign next to The Chantry to be supported

One letter making comments neither supporting or objection making the following comments (summarised):

- agree that the landowner having the ability to charge appropriately for parking on his land, however the land has been destroyed by the removing of the bollards
- need more machines not less located at the beach end
- wildflower areas need to be reinstated

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

OC1	Open Countryside development
NH14	Nationally designated landscape areas
EC9	Tourism outside settlements

Retained saved policies of the West Somerset Local Plan (2006)

OC1	Open Countryside development
NH14	Nationally designated landscape areas
EC9	Tourism outside settlements

Determining issues and considerations

The proposal relates to the retention of signs and parking meters, camera and sign, the use of the land as a carpark is an established use. There was an existing ticket machine to the south of the site which will be removed as part of this application. It is therefore considered that the proposal is acceptable in principle as there was a previous pay and display and signs and ticket machines are an expected feature within car parks. Therefore the main issues for consideration is the impact upon the setting of the Quantock Hills Area of Outstanding Natural Beauty.

Amendments to the application.

Following the objections received the agent has removed the enlargement of the car park from the application as shown on plan 18.03.21 Rev A there is no longer an area of hardstanding proposed between the ticket machines and the original car park. In addition the plan shows an area of new planting of mixed native species to the south of the ticket machine, this will provide additional screening of the machines from the south and when viewed from the north, which will help to reduce the visual impact and provide additional benefits to the biodiversity of the area which a number of objections has stated in being lost. A condition has been included to ensure this is done within the first planting season.

Impact upon the AONB

An area of concern that was raised by a number of objectors and by the AONB service is the impact of the proposal upon the setting of the protected area. The AONB state that it is the urbanisation effect of these proposals that are causing the harm. Paragraph 172 of the National Planning Policy Framework states that great weight should be given to conserving the landscape and scenic beauty of AONB. The application requires the removal of a redundant ticket machine outside of the existing car park and the removal of signs on the approach. The amendments to the application remove the extension to the car park and include planting to soften the impact of the machines. It is considered that the addition of a ticket machine will not cause significant additional harm to the setting of the AONB. Its location is better screened than the existing. It is noted the number of signs prove obtrusive and out of keeping with the aesthetics of the area and the removal is to be welcomed. The

remaining five signs within the existing car park are located at intervals along the length of the carpark and will be partially screened from long views by the existing screening to the north and south.

Highways

The Highways Authority have stated "no observations" for the proposal as the development is within private land and will not have an impact upon the adopted highway. It is considered that due to the location of the signs and meters that there would not be an adverse impact upon highways safety.

Setting of the listed buildings

Section 66 of the Planning (Listed Buildings and Conservation) areas act requires that special regard is paid to the desirability or preserving the listed building, its setting and any feature of historic or architectural interest when deciding whether to grant planning permission.

Due to the location of the proposal it is considered that it would not cause significant harm to the setting of the Grade II* listed buildings located to the south west of the proposal. The application removes two of the signs on the approach and removes the previous ticket machine which was located to the east of The Chantry. The removal of this machine and the location of the current ticket machines to the north is considered an improvement. Comments received from the conservation officer have raised no issues in relation to the setting of the listed buildings.

Flooding

The Environment Agency has raised an objection based on the lack of a flood risk assessment. A FRA has been undertaken by the agent and submitted to the EA. Given that the addition of signs and ticket machines are unlikely to give rise to flooding and that the use of the site does not fall within the vulnerable category, it is considered that there would not be a significant rise in flood risk from the proposals. There has been no alterations to the ground levels of the site and the areas of hardstanding to support the ticket machines and metal posts is minimal. The second part of the EA's objection relates to the lack of signage informing users that the car park is liable to flood. To this end a condition has been included to ensure that the signs required by the EA are submitted to and erected on site within six months of the date of the decision.

Comments

There have been 37 different comments received from the neighbours, 35 in objection, one in support and one neutral. These comments and those made by the

Parish Council can be broken down into the following themes.

Firstly the costs of parking and the fines levied, negative comments on trip advisor, being retrospective and how users can pay for parking these are not material planning considerations and therefore cannot be taken into consideration when determining the application, likewise the removal of the wooden posts and the state of the grass verges are outside the remit of control for this application.

Secondly the number of signs at the site, four of the signs are to be removed leaving eight interspersed along the approximately 290m length of the existing car park. This number of signs is stated by the agent as the required amount to ensure that users of the car park are aware of the need to pay, It is noted that the signs are not in keeping with the aesthetics of the area, however the long views towards the site are screened by the existing boundary treatments.

Thirdly the impact on Sea Lane and cars being parked along the road. This is outside the remit of this application. There has been a ticket machine at the site prior to the installation of the current ticket machines and this application has no control over where users of the beach park their cars.

Fourthly, the environmental impact of the extended car park. There have been several comments made about the destruction of wildlife habitats and the impact the car park extension will have on both the visual amenity and the environment and the need for the extension when the existing car park is rarely full. The agent has taken these comments and as such this element of the proposal has been removed.

Fifthly the impact upon the AONB and listed buildings, these concerns have been covered above.

In addition to the above concerns raised several make reference to policy. In particular policies LB/1, CF2, CC4, NH1, NH2, NH14, NC/1, T/6, T/7, T/9 and R/12. Policies LB/1, NH1 and NH2 are not considered relevant as the proposal is not considered to affect the setting of the listed buildings or historic environment. Policy CF2 relates to planning for healthy communities and is not considered relevant to this application as the provision for walking and cycling have not be impacted by the proposal. Policy T/6 relates to new car parking in villages, this site is an existing car park again T/7 for non residential parking, the car park is in situ the application is for the signs and ticket machines. Policy R/12 for informal recreation facilities the proposal does not impact upon the use of the site, it was a pay and display car park prior to the installation of the current ticket machines. Policy NH14 relates to the protection of nationally designated landscape areas, the amended proposal is not considered to have a significant impact upon the AONB as outlined above. Finally comments have been raised that there was no notification displayed at the site, a notice was displayed on the 25th February notifying users of the site of the application.

Agent response

The agent has responded to a number of the objections raised and responds to the

location of the machines being where they are due to the laying of power cables and addresses the issues raised in relation to payment methods. The letter goes on to address the number of signage, required under industry guidelines and the destruction of the grass verges. The agent states this has been done by inconsiderate parking and the works undertaken by the applicant involve the removal of brambles.

The applicant should be aware of the provision of facilities for disabled users of the carpark and ensure the ticket machines are appropriate for all users.

Conclusion

In conclusion the removal of the car park extension from the application alleviates many of the concerns and issues raised from both neighbours and the AONB about the need and the impact of the proposal. The addition of native planting adjacent to the ticket machines will soften their visual impact. It is therefore considered that planning permission be granted.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.



