

Report to	Planning Committee
Date	26 April 2017
By	Director of Planning
Local Authority	Chichester District Council
Application Number	SDNP/16/04284/FUL
Applicant	Mr C Lucking
Application	Change of use of existing golf club car park to lorry park (sui generis).
Address	Osiers Farm London Road Petworth GU28 9LX

Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

Executive Summary

Reason for Committee referral: Parish objection - Officer recommends PERMIT

The application is to re-use the existing car park associated with the former golf club as a lorry park for up to four vehicles and two trailers. Both national and local policies support economic diversification in the rural area and this proposal is considered to result in a reasonable, low-key re-use of the site, which would not have a detrimental impact on the character, appearance or special qualities of the South Downs National Park. The traffic and highway safety implications of the use have been carefully assessed by West Sussex County Council, who are satisfied that the access is capable of accommodating the HGV movements.

1 Site Description

1.1 The application site is situated on land forming part of Osiers Farm, which is located approximately 3.6km north of Petworth to the east of the A285. Access to the site is via a semi-metalled single track road serving the farm as well as the farm house and cottages.

1.2 The site comprises a roughly rectangular area of hardstanding approximately 685 square metres in extent located on the north side of the access track within the southern margin of a mature block of woodland. The site was originally permitted as the car park to the former golf course created on Osiers Farm in 1989 and subsequently extended into an 18-hole course in 1992. The golf course has been closed for a number of years and the land reverted to agriculture, although the car parking area remains.

1.3 The surrounding landscape comprises gently undulating pasture, with dispersed blocks of woodland, including the one in which the car park is situated. To the south east of the site is the former golf club house, which was recently the subject of SDNP/16/05377/FUL, which permitted the change of use of the building to B1(a) offices.

2 Proposal

2.1 The proposal is the change of use of the former golf club car park to a lorry park. The applicant currently operates two tractor units, which currently have access to four trailers plus two rigid bodied HGV's under the terms of the operator's licence..

3 Relevant Planning History

PW/20/89 - C/U from agriculture to 9-hole golf course. PERMIT

PW/56/90 - C/U from agriculture to golf driving range. PERMIT

PW/48/91 - C/U from agriculture to golf course (amendments to PW/20/89). PERMIT

PW/10/92 - C/U of 55 of acres from agriculture to golf course. PERMIT

4 Consultations

WSCC Highways - CDC

The car park is situated off the A283 London Road, via a private road leading to Osiers Farm and Petworth Golf Club, also shared by a public right of way (645). The site is currently used as a car park by Petworth Golf Club however this is no longer required and the applicant proposes to use the area for a HGV park for up to 8 HGV'S. WSCC offer advice.

The use of the site for HGV storage would need to be checked with swept path diagrams to ensure the site can be used safely; but the access road leading to the parking area does appear to be wide enough to take two cars. It would also be useful to understand what the forward visibility would be from the A283 for cars travelling towards the access and how much room a HGV will use within the road to safely manoeuvre from the access onto the highway.

The local planning authority may wish to condition the number of HGV's at the site to ensure this limits the number of trips. 8 trips per day would not be considered severe in highway capacity terms so we would raise no concerns from a capacity point of view, but swept path diagrams and forward visibility requirements for a 60mph 'A' road should be met to ensure the access can accommodate this use safely.

Further comments following receipt of technical note re visibility and swept path analysis

All the additional information provided shows the access is more than acceptable to cope with the HGV movements, and therefore no further information is required.

Parish Council

Petworth Town Council's Highways, Traffic and Planning Committee object to this application because we are very concerned about safe access to and from the A283 by up to 40 - 44 ton lorries in potentially large numbers. We would like more information on the quantity and size of vehicles involved and to ask WSCC Highways Authority for their views and comments prior to any decision being made.

Further comments following receipt of additional information

Objection.

Our concerns have not been allayed. None of the information provided has convinced us as to the merit of this application. Our major concerns are with regards to the speed of the traffic on the A283 coupled with slow moving vehicles, which will be swinging out on to the carriageway of the A283, which will create very dangerous situations.

5 Representations

1 Third Party support

This entrance has previously been used for large agricultural equipment and lorries collecting Corn, milk tankers, etc.
Would not be detrimental to highway safety
Less frequent activity than previous use as golf club
Support for the local economy
Would not be contrary to purposes of the South Downs National Park..
The car park site is visually contained and only limited views possible.

Agent's supporting information

The operator's licence for the applicant (Brookland Transport) presently allows for up to four vehicles. This is currently for two 44 tonne truck units which currently have the use of 4 trailers, plus two 32 tonne rigid units.

Current site is located at Kings Pit Lane to the east of Petworth on the junction with the A283 but the landlord's commitments for this site no longer make it viable.

While the majority of the time the lorries will leave the site in the morning and return in the evening within sociable working hours, it is not uncommon that a lorry will be required at night time as their clients, such as Network Rail, operate on a 24 hour basis. Lorries may also be off site for a couple of days. The trip generation of 8 trips/day is taken as a worst-case scenario.

Majority of their full time staff live within Northchapel.

Visibility and swept path analysis show that access onto the A283 is in excess of required standard and that forward visibility of approximately 300 metres approaching the site access itself would ensure no conflict will arise with existing road users. This is aided by the fact that all the vehicles have a forward control driving position

Internally, swept path analysis for the parking area demonstrates that vehicles can manoeuvre safely in and out.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Chichester Local Plan First Review (1999)** and the following additional plan(s):

- SDNPA Partnership Management Plan 2014
- South Downs National Park Local Plan - Preferred Options September 2015

The relevant policies to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Building a strong, competitive economy
- NPPF - Supporting a prosperous rural economy
- NPPF - Requiring good design
- NPPF - Conserving and enhancing the natural environment

The following paragraphs of the NPPF are considered relevant to the consideration of this application:

7, 14, 17, 18, 19, 32, 109, 115.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **Chichester Local Plan First Review (1999)** are relevant to this application:

- RE1 - Development in the Rural Area Generally
- BE11 - New Development
- TR6 - Highway Safety

The following policies of the **SDNPA Partnership Management Plan 2014** are relevant to this application:

- General Policy 1
- General Policy 50

The following policies of the **South Downs National Park Local Plan - Preferred Options September 2015** are relevant to this application:

SD5 – Landscape Character
SD8 – Relative Tranquillity
SD43 – Public Realm and Highway Design
SD47 – Farm Diversification

The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2nd September to 28th October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

8 Planning Assessment

8.1 The main issues in relation to this application are considered to be the effect on highway safety and the effect of the proposed use on the character and appearance of the South Downs National Park.

The effect on highway safety

8.2 The site is accessed from the A283 London Road to the west of the site. The single carriageway road at this point is subject to the national speed limit of 60 mph and the road markings indicate that overtaking is prohibited when approaching the access from the north of the access and also when approaching it from the south. Visibility is good in both leading and trailing directions and is in excess of the required standard of 215 metres.

8.3 The applicant has provided additional information regarding the number and frequency of vehicles proposed to use the site. For the majority of the time the applicant has advised that lorries will leave the site in the morning and return in the evening within sociable working hours. However it is not uncommon that a lorry will be required at night time as their clients, such as Network Rail, operate on a 24 hour basis. It is also the case that lorries may also be off site for a couple of days. Therefore due to the client's operations and the size of the site, generally it is foreseen that a maximum of 8 HGV's totalling 8 trips per day would be using the site but this figure is taken as a worst-case scenario. The applicant has also provided technical data in respect of access visibility and a swept path analysis in response to the initial consultation response from WSCC Highways.

8.4 WSCC Highways has analysed the additional information and technical data submitted in support of the application and in the context of the small scale nature of the proposed use and limited vehicular movements, it is concluded that the access is more than acceptable to cope with the HGV movements. The Town Council's continued concerns about the potential safety implications of using this access are acknowledged but in the light of the fact WSCC Highways does not object to the proposal a refusal on highway safety grounds cannot be sustained.

Effect on the character and appearance of the National Park

8.5 The site occupies a relatively secluded position, surrounded on three sides by established woodland. The site was previously in use for parking for up to 40 cars in association with the former golf club, a commercial activity considered to have been acceptable in this location. Visually, the site is well-contained and the presence of a limited number of HGV's and/or trailers proposed by this application is not considered to undermine the rural character or appearance of the surrounding area.

8.6 The movement of vehicles to and from the site will inevitably result in some localised disturbance. However, in light of the limited use that is proposed, this would be relatively infrequent and in the context of the previous lawful use of the site would not be detrimental to the general perception of tranquillity that the area benefits from, notwithstanding the close proximity of the A283.

9 Conclusion

9.1 The proposed change of use of the site from the former golf club car park to a lorry park would not result in harm to the character or appearance of the National Park in terms of disturbance through noise, activity or visual impact by virtue of the limited scale of the use and secluded nature of the site. It is considered that the potential for future intensification of activity can be adequately controlled through the use of appropriate conditions.

9.2 The highway safety implications of the proposed use have been carefully assessed by WSCC Highways, which is satisfied that, given the low-key nature of the proposals, the access on to the A283 is more than capable of handling the type and level of traffic generated by the proposal without demonstrable harm to the safety or use of the highway network.

10 Reason for Recommendation and Conditions

It is recommended that the application be approved for the reasons and subject to the conditions set out below.

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

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. Approved Plans

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.

3. Maximum number of HGV's/trailers

No more than four HGV's and four trailers (or combination thereof) shall be parked on the application site at any one time unless agreed by way of an application to the SDNPA on that behalf.

Reason: To ensure that a more intensive use of the site does not have an adverse impact on the character or appearance of the National Park or on highway safety.

4. Operator restriction

The use hereby permitted shall be carried on by the applicant, Brookland Transport Ltd, Osiers Farm London Road Petworth West Sussex GU28 9LX only and no other operator.

Reason: The SDNPA have had regard to the scale and nature of the applicant's business and are satisfied that the proposed level of use and activity described would not result in an adverse impact on the character or appearance of the South Downs National Park and would therefore wish to exercise control over future use of the site for such purposes.

5. Refrigeration/chiller units

No refrigeration or chiller units (either associated with the tractor units, trailers or free-standing) shall be operated on the site at any time.

Reason: To ensure that the use of the site does not have a detrimental impact on the character or tranquillity of the area.

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

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

14. Proactive Working

In reaching this decision the SDNPA has worked with the applicant in a positive and proactive way, in line with the NPPF.

Tim Slaney
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South Downs National Park Authority

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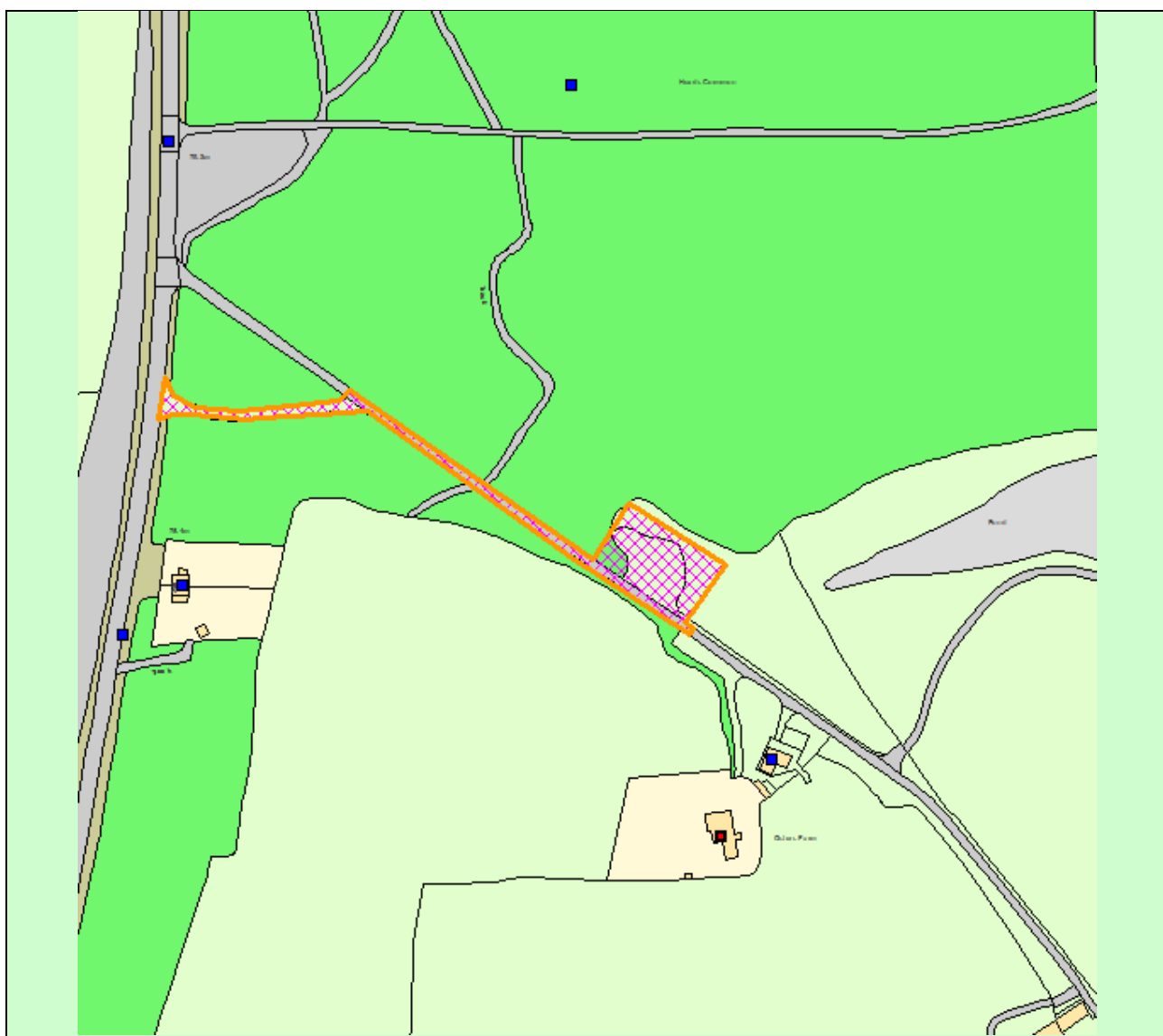
Indices
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SDNPA Consultees

Background Documents Relevant planning history, CDLPFR 1999, South Downs Management Plan, Draft South Downs Local Plan 2015, NPPF, NPPG

Appendix 1

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Site section	PWRU373401		06.09.2016	Approved
Plans - Location plan	001		25.08.2016	Approved
Plans - Existing site plan	100		25.08.2016	Approved
Plans - Proposed site plan	110		25.08.2016	Approved
Reports - Technical Note on visibility splays and swept path analysis (November 2016)	GDB/4931/TN. 1		23.11.2016	Approved

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