

Report to **Planning Committee**  
Date **24 May 2017**  
By **Director of Planning**  
Local Authority **Chichester District Council**  
Application Number **SDNP/17/01361/FUL**  
Applicant **Chichester District Council**  
Application **To retain a solid timber panel site hoarding around the land north of the Grange Road car park.**  
Address **Land of The Old Grange Centre, Bepton Road, Midhurst, West Sussex, GU29 9HD**

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

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## **Executive Summary**

**Reasons for Committee referral: The applicant is Chichester District Council.**

The application is for the retention of the existing timber hoarding surrounding land on which the former Grange Leisure Centre was sited. It is considered that in the context of the temporary nature and screening effect of the structure, the continued presence of the site hoarding would not result in any permanent harm to the character or appearance of the conservation area and therefore subject to conditions limiting the length of time it may continue to remain in situ and to ensure maintenance of its appearance, the application is recommended for approval.

## **1 Site Description**

1.1 The application site comprises land on which the former Grange Leisure Centre was sited. Following a grant of permission in 2011, the previous Grange Centre was demolished and a new centre relocated and built to the east of the site. A new car park of 300 spaces was also provided with the new centre. The site enclosed by the hoarding is now vacant and is awaiting disposal by the District Council.

## 2 **Proposal**

2.1 This application seeks planning permission for the retention of a solid timber panel site hoarding 2.44m high around the site to the north of the Grange car park. The hoarding follows the contours and boundary of the site. Temporary planning permission was previously granted for the hoarding in 2015; however this permission has now expired.

## 3 **Relevant Planning History**

SDNP/15/00149/FUL – To erect a new solid timber plain panel site hoarding around the land north of the Grange Road car park. – Approved

MI/11/01179/FULNP – Construction of a New Community Leisure Centre incorporating cafe, library, offices, multi-functional community facilities and sports accommodation. Remodelling of the existing town centre car park to increase capacity to 303 spaces. Permit

## 4 **Consultations**

### **Parish Council Consultee**

Midhurst Town Council has no objection to this application provided that Chichester District Council maintains the hoarding to a high standard.

## 5 **Representations**

1 Third Party comment

The need for the hoarding is accepted as this area has not yet had successful planning permission. I would appreciate improved maintenance to match that of contiguous properties. Particularly opposite the Woodland Vet Centre, Grange Road the green paint has come off in large chunks to expose the underlying white paint – not a 'good look'.

## 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)**. The following additional plans are also considered relevant:

- 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 parts of the National Planning Policy Framework have been considered in the assessment of this application:

- NPPF – Requiring good design
- NPPF – Conserving and enhancing the natural environment
- NPPF – Conserving and enhancing the historic environment

Paragraphs 14, 17, 115, 131, 132, 133, 134

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are also relevant to the determination of the application.

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

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

- BE6 – Conservation Areas
- BE11 – New Development

#### Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- 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:

- SD6 (Design)
- SD39 (Conservation Areas)

The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16<sup>th</sup> 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 2<sup>nd</sup> September to 28<sup>th</sup> 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 with this planning application are considered to be:

- The impact of the hoarding on the character and appearance of the Midhurst Conservation Area.
- The impact of the development on residential amenity

-The impact of the development on the character and appearance of the South Downs National Park.

### **The impact of the hoarding on the character and appearance of the Midhurst Conservation Area**

8.2 The hoarding is a temporary form of development and whilst not a particularly attractive feature in the conservation area it is not considered to cause permanent harm to its character and appearance. The application proposal is to retain the existing hoarding which was previously permitted under SDNP/15/00149/FUL but which has now expired.

8.3 On balance, a further temporary permission is considered appropriate whilst the site remains undeveloped. In terms of the need for new development within the Conservation Areas to preserve or enhance character it is considered that whilst the hoarding would not be appropriate as a permanent feature, its temporary positioning around this vacant site will result in the character of the conservation area being preserved. The Town Council's and third party comments are noted and it is considered that a condition requiring the reasonable maintenance of the hoarding is appropriate in this case.

8.4 Therefore the proposal is considered to comply with policies BE6 and BE11 of the CDLP 1999 in that the character of the conservation area will be preserved.

### **The impact of the development on residential amenity**

8.5 Sited immediately to the North West of the site is a mixture of both residential and commercial development to the South is a public car park, with The Grange Community Centre to the East. A brick wall forming the North West boundary is already present, effectively limiting views of the hoarding itself. This application does not propose any further hoarding in front of the existing historic wall and as such there will be little impact on the buildings adjacent to the site.

8.6 The retention of the hoarding does not result in harm to the residential amenity of dwellings on Bepton Road and as such the proposal complies with policy BE11 of the CDLP 1999.

### **The impact of the development on the character and appearance of the South Downs National Park.**

8.7 The location of the site is within the urban fabric of the Town Centre and for the reasons stated above and principally due to its temporary nature, this proposal is not considered to conflict with the purposes of designation of the South Downs National Park.

## **9 Conclusion**

9.1 The temporary retention of the hoarding around the vacant site to the north of the Grange Road car park, is not considered to harm residential amenity or permanently

detract from the character and appearance of Midhurst Conservation Area or the wider South Downs National Park. It is consistent with policies BE6 and BE11 of the Chichester District Local Plan First Review (1999) and the relevant National Policy and Guidance subject to conditions showing its temporary siting and continued maintenance. This application is therefore recommended for approval.

## **10 Reason for Recommendation and Conditions**

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

1. The development hereby permitted shall be carried out in accordance with the schedule of plans in 'Appendix 2 – Plans Referred to in Consideration of this Application'

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

2. The hoarding hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, after 2 years from the date of this permission.

Reason: To enable the Local Planning Authority to review the special circumstances under which this permission is granted.

### **3. Colour and appearance of hoarding**

The hoarding shall be painted/stained in the colour and finish stipulated on Drawing No PW.12037.D.058 and shall be maintained thereafter as approved unless any variation has been agreed in writing by the Local Planning Authority to ensure that the development does not detract from the character and appearance of the Midhurst Conservation Area.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and to ensure a structure of visual quality.

## **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**

14.1 In reaching this decision the local planning authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

**Tim Slaney**  
**Director of Planning**  
**South Downs National Park Authority**

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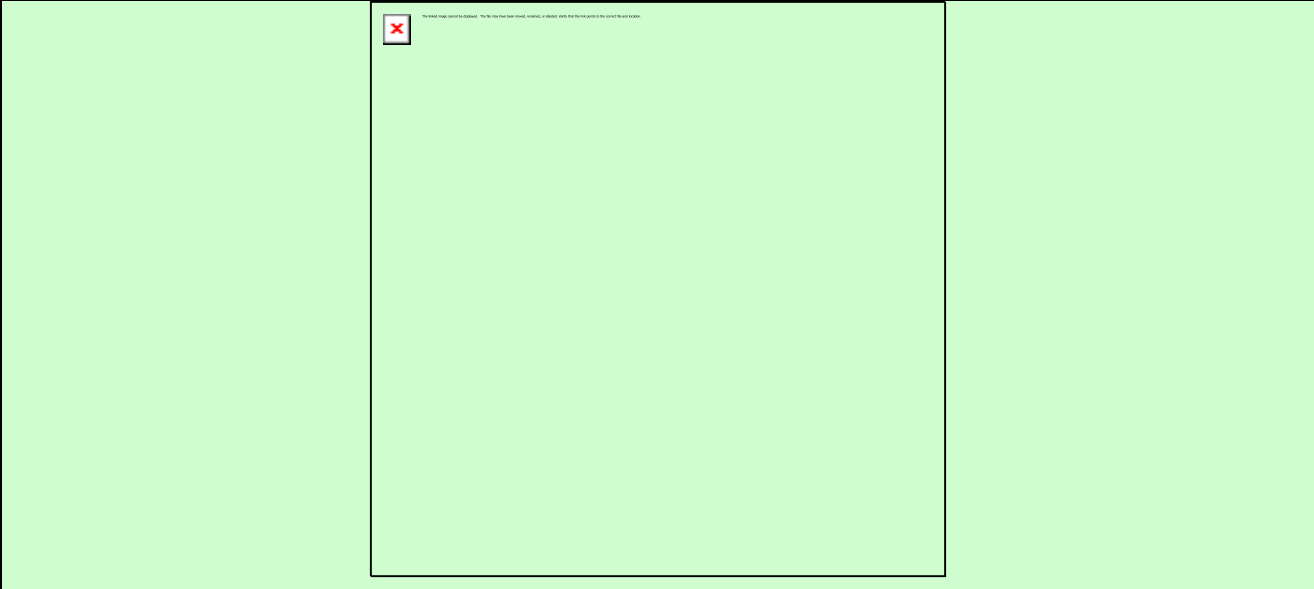
Appendices Appendix 1 – Site Location Map  
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees Midhurst Town Council

Background Documents National Planning Policy Guidance; Saved policies of the CDCLPFR 1999; South Downs Management Plan; Draft South Downs Local Plan; Planning (Listed Buildings and Conservation Areas) Act 1990; relevant planning history.

**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 - Location Plan	PW.12037.D.10 0	A	14.03.2017	Approved
Plans - Site and Hoarding Elevations Plan	PW.12037.D.0 58	A	14.03.2017	Approved

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