

- a) **DOV/16/01176 – Installation of a car park charging machine plus associated signage – Land opposite Walmer Castle, Kingsdown Road, Walmer, Deal**

b) **Summary of Recommendation**

Planning Permission be GRANTED

c) **Planning Policy and Guidance**

Dover District Core Strategy (CS)

Policy DM1 seeks to encourage development to be carried out within the urban confines or ancillary to existing development or uses

Policy DM 16 – Development that would harm the character of the landscape etc

Policy DM19 – Historic Parks and Gardens

National Planning Policy Framework (NPPF)

Core Principal Para 17 – seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Para 56 onwards – refers to the value of achieving design quality, visually attractive developments as a result of good architecture

Paragraphs 126 onwards conserving and enhancing the Historic Environment

Paragraphs 109 onwards especially 115 – Protecting Natural Environments

d) **Relevant Planning History**

There is no specific planning history for this area of car parking. It's use as a car parking area is however lawful being clearly visible on 1960 aerial photography

e) **Consultee and Third Party Responses**

Walmer Parish Council – Positively supports the proposal

KCC – Public Rights of Way - Have no comments on the application

County Archaeologist – No views received

Ecologist - comments that the site has been in use for many years as a car parking area and has no other observations

Third Party representations

As at the time of drafting the report there were a total of 114 emails objections and one email of support.

In summary the objections relate to the following issues:

- Object to the principle of charging for use of the car park – always been free – very few free parking areas available - just another money making scheme etc.
- The imposition of a charge will deter tourists to the area.
- Charging for this area will divert parking to residential streets/roads to the disbenefit of nearby residents and the increased risk of accidents.
- Would have an adverse impact on dog owners, the elderly, the disabled, young families etc who visit the site several times a day.
- Would have an adverse impact on health and wellbeing discouraging people taking exercise – walking etc.
- The machine will have an adverse impact on the landscape and appearance of the area.

Many of the objectors appear to believe that it is Dover District Council that is receiving revenues accrued from the use of the car park rather than English Heritage.

f) The Site and the Proposal

1 The Site

- 1.1 The site comprises an area of hard surface used as a car parking area owned by English Heritage. It is in a poor state of repair with many pot-holes and rutted areas. It is oval in shape roughly 45 metres by 25 metres and is accessed by a short poorly maintain drive from the Kingsdown Road
- 1.2 The land lies within a designated local wildlife site and is opposite the Ancient Monument of Walmer Castle and its designated Historic Gardens,
- 1.3 There is a short hard surfaced footpath between the car parking area and the sea front walkway and beach beyond. This particular path has been labelled as a disabled access route. There are also several informal tracks between the car park and the walkway. Between the car parking area and Kingsdown Road there is a small copse of trees screening the car park from the road itself and providing substantial screening for Walmer Castle beyond.

The Proposal

- 1.4 The proposal seeks approval for the installation of a modern ticket vending machine with a footprint of roughly 40 centimetres by 30 centimetres and an overall height of 1.82 metres. The machine would be black in colour. There would be signage immediately adjacent to the machine explain the charging regime which would be 40 centimetres wide and slightly less than the height of the machine itself. As originally proposed the signage would have been on top of the machine giving an overall height of about 2.75 metres but at officers suggestion it would now be positioned immediately adjacent to the machine itself.
- 1.5 The machine would be located at the edge of the parking area between the car park itself and the footpath along the foreshore. EH were asked why

this particular location was chosen and responded: *“The proposed location was chosen to be visible from a driver’s point of view when entering the car park – we believe that the public would be more concerned at being fined for failure to pay due to the signage and marking machine not being entirely visible. The location between the car park and the Castle was considered but rejected as members of the public not visiting the Castle might not see the signage and parking machine”.*

- 1.6 EH were asked the reason the machine was required and they responded: *“The car park is currently owned by ourselves but has been let to Dover District Council and is not managed so is used by members of the public who do not visit Walmer Castle. The intention is to terminate the Lease (with DDC) and take over the day-to-day management. While the car park will still be available for members of the public and Castle visitors alike, a parking charge would be levied on all users but visitors to the Castle will be reimbursed upon arrival at the Castle. In this way we hope to nudge the use of the car park more towards our own visitors for the benefit and promotion of the Castle.”*
- 1.7 EH were asked whether they had carried out any consultation with interested parties before submitting the application and responded as follows: *“Given the very small physical nature of the application, I have to admit that we haven’t engaged in any consultation with local bodies. Given the subsequent reaction, this was clearly a misjudgement for which I apologise. However The Parish Council, notwithstanding the number of communications, have decided not to object”.*
- 1.8 EH have indicated, in response to questions, that they are not currently considering resurfacing the car park at this time.

2. Main Issues

- 2.1 The main planning issues in this application are:
- Design issues and impact on the street scene and the adjacent coastal walk,
 - The effect on the setting of Heritage Assets including Walmer Castle and its Historic Garden,
 - The effect on the Local Wildlife site
 - The effect on the surrounding Highway Network
 - Impact on Tourism to the District as a whole and Walmer in particular
- 2.2 The decision of English Heritage, as landowners, to charge a fee for the use of this car park is not material to the determination of this application.

3. Assessment

- 3.1 Design of the Proposal, impact on the street scene, coastal walk and character of the area

- 3.2 The machine and associated signage are of a standard design and form and in themselves are acceptable.
- 3.3 The location of the machine may be considered as prominent – but as pointed out by the applicant it is designed to ‘catch the eye’ of those using the car park. From a visual point of view, setting the machine against the backdrop of the adjacent copse would be better in visual amenity terms but is also less likely to be seen by the users of the car park and would be more likely to attract vandalism.
- 3.4 Seen from the highway and the car park the machine would be set against a backdrop of the sea and would correspond with other facilities such as rubbish bins, seats and other signage and would be acceptable as part of the backdrop of modern living. To users of the walkway and cycleway along the foreshore itself the machine and signage would be set against a fairly verdant backdrop and would not unduly attract the eye.
- 3.5 Overall the impact of the proposal on the street scene, costal walk and character of the area would be minimal and not unduly harmful.

The Setting of the Heritage Assets of Walmer Castle and its Park and Gardens

- 3.6 The car parking machine and signage is some distance (about 120 metres) from the castle and its historic gardens and separated by extensive vegetation. It is not considered that the proposal would have an adverse impact on the setting of these heritage assets. Due to the distance involved and intervening tree and plant cover the impact would be neutral.

Effect on the Local Wildlife Site

- 3.7 The unit would have no significant impact on wildlife and the Council's Ecological Officer has not raised any objection to the scheme.

Highway Safety and the Convenience of Road Users

- 3.8 It is undoubtedly true, as pointed out by many objectors that charging a fee for this previously free parking area would be likely to encourage some drivers to park elsewhere. However there is a currently free large car parking area some 250 metres to the north, which gives equally good access to the foreshore walkway and cycleway.
- 3.9 The site is some distance away from residential streets and is unlikely to result in residential road users being inconvenienced.

Effect of the proposal on tourism to the District

- 3.10 If the public are prepared to pay for transport to the area including fuel cost, wear and tear on vehicles or the cost of public transport it is unlikely that an additional small charge for parking would have any serious impact on the number of visitors to the area. In the case of visitors to the castle itself, visitors will be reimbursed the cost of car parking.
- 3.11 In the case of visitors to the foreshore then again the currently free car parking area is available close by.

Public Sector Equality Duty

- 3.12 Section 149 of the Equality Act sets out the Public Sector Equality Duty. It is necessary to take into account the Public Sector Equality Duty and ensure there is no discrimination, harassment, victimisation or other conduct prohibited under the Act against those with protected characteristics, including age, disability or race. Whilst it is accepted that access from this car park to the foreshore is marginally better for disabled users than the free car park to the North the car park will remain available for disabled users albeit with a charge which, as has been previously stated is not a material consideration.

Conclusion

- 3.13 The issues and points raised by objectors have been taken into consideration.
- 3.14 For the reasons set out above it is concluded that the proposal is acceptable in planning terms and I therefore recommend approval.

g) Recommendation

- I Planning permission **be** GRANTED subject to conditions to include: i) Time; ii) Compliance with plans.
- II Powers be delegated to the Head of Regeneration and Development to settle any necessary issues in line with the matters set out in the recommendation and as resolved by Planning Committee.

Case Officer

Tony Jarvis