Recommendation:

1) That planning permission be granted for application SDNP/16/06186/FUL subject to:
   a) The conditions, set out in Paragraph 10.1 of this report and the completion of a S106 legal agreement to secure the provisions of the footpath and Travel Plan, and
   b) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the S106 Agreement is not completed within 3 months of the 13 April 2017 Planning Committee meeting.

2) That Listed Building Consent be granted for application SDNP/16/06187/LIS subject to the conditions, set out in Paragraph 10.2 of this report.

Executive Summary

Madehurst Lodge is a Grade II Listed Georgian property and is made up of the main house, a number of outbuildings, a walled garden and meadows / fields. The application site also includes, ‘Woodruff’ (and its associated garage) a 4-bedroom detached dwelling built in the late 1980s. Woodruff is not a listed building nor does fall within the curtilage listing of Madehurst Lodge. The proposal comprises two applications, one for planning permission and the other for listed building consent. In summary, these seek permission for a change of use (including the construction of new buildings and installation of Shepherds Huts) to create a hotel (28 rooms and additional staff accommodation) and a restaurant (up to 80 covers).

Parts of the proposal are acknowledged to have the potential to cause some harm to a heritage asset and landscape character of the area. However, it is considered that overall the works and the
wider public benefits in understanding and enjoying the heritage asset and wider National Park outweigh this harm. On this basis, the applications for planning permission and listed building consent are recommended for approval.

The applications are placed before Committee due to the significant number of representations received.

1 Site Description

1.1. Madehurst Lodge is a large, 2-storey detached Grade II Listed Georgian property, currently used as a private dwelling. The property is set within substantial grounds, with a collection of detached outbuildings located to the east. There is a walled kitchen garden to the northwest (separated from the Main house by an access lane to neighbouring properties and Parletts Farm) and a number of fields/paddocks to the east and south, all of which form part of the application site.

1.2. There is also a modern detached dwelling adjacent to the outbuildings, known as Woodruff (currently used as separate dwelling and previously in separate land ownership), which is also included as part of the application site.

1.3. The site is set back from Madehurst Road on a junction with a no-through road. There is mature vegetation along the boundary with the highway and the short driveway, from which the property is visible. The no-through road is sunken alongside the southwestern boundary of the property and runs adjacent to the walled kitchen garden (again at a lower level).

1.4. Madehurst is a small hamlet comprising sporadic residential development (at the 2011 census comprising of 54 dwellings). There is a collection of converted farm buildings to the east of the application site, which may have originally been associated with Madehurst Lodge, now in separate ownership.

2 Proposal

2.1 The applications for planning permission and listed building consent seek a change of use of two existing dwellings, associated outbuildings and land to create a hotel (with 28 rooms) and restaurant (up to 80 covers) (Use Class C1 / A3). The applicant is 'Home Grown Hotels', the owners and operators of the 'Pig' brand of hotels and it is intended that this proposal would become part of that operation.

2.2 The detailed elements of the proposal are as follows:

2.3 Madehurst Lodge (Grade II Listed Building): In summary the Main House (currently has ten bedrooms) will be converted to provide the hotel reception, restaurant (up to 80 covers) and nine (9) ensuite bedrooms.

2.4 The detailed proposals for the Main House include internal alterations to ground floor to provide hotel reception rooms and two (2) ensuite bedrooms. Also a single storey ground floor extension is proposed (after removal of existing veranda) and internal alterations to provide a restaurant (up to 80 covers) with associated lounge rooms, commercial kitchen and associated 'back of house' facilities. In addition, internal alterations are proposed to the first floor to provide seven (7) ensuite rooms.

2.5 Existing Outbuildings: The existing outbuildings referred to as the 'Stable Block', 'Grooms House' and 'Chicken Shack' will have external and internal alterations to provide a total of ten (10) ensuite rooms.

2.6 New Outbuildings: The proposal includes the construction of three new outbuildings. The 'Chicken Coop' would be a single storey building proposed opposite the 'Chicken Shack' and will provide two (2) ensuite rooms. Within the walled garden it is proposed to reconstruct the former single storey 'Garden Room' to provide one (1) ensuite room and to construct a single storey building adjacent to the existing glasshouse to provide two (2) treatment rooms associated with the use of the hotel.

2.7 Shepherds Huts: The remaining hotel accommodation, six (6) ensuite rooms, would be provided in the form of Shepherds Huts located across the site. Four (4) would be located
within the walled garden (close to the existing eastern boundary) and two (2) would be located in the field east of 'Woodruff', the 'Chicken Shack' and 'Chicken Coop'.

### 2.8 *Woodruff and associated garage:*
The existing four bedroom residential dwelling, known as 'Woodruff', would be converted to provide seven (7) staff bedrooms (5 doubles and 2 singles). The existing garage will be converted to a plant room. It is also proposed to construction three (3) single storey buildings to the rear of 'Woodruff' to provide additional storage space and a staff bike store.

### 2.9 *Walled Garden and surrounding fields:*
The proposal also includes the restoration of the existing walled garden to bring it back into use as a fully functional kitchen garden and orchard to serve the new restaurant. The works proposed include removal of existing tennis court and other structures in a poor state of repair, reinstatement of the greenhouse and installation of polytunnels.

### 2.10
It is also proposed to reinstate the surrounding fields as grazing meadows, this will include the removal of existing horse jumps / fences.

### 2.11 *Access and Car Parking:*
Access to the site will utilise the existing entrance points and driveways of both Madehurst Lodge and Woodruff. The intention for guests and visitors is to create an 'in' to the site via the Main House and an 'out' via Woodruff. All servicing vehicles would access and egress from the 'Woodruff' entrance.

### 2.12
The proposal includes alterations to the access to Madehurst Lodge. The existing driveway up to the Main House would be realigned to closely match the original line of the driveway. This will facilitate a 'dropping off' area in front of the proposed hotel.

### 2.13
A total of sixty-eight (68) car parking spaces are proposed. Sixty-four (64) spaces would be located in front of the existing 'Woodruff' building, this car park serving predominately guests and visitors. Four (4) spaces would be located within the walled garden (accessed from an existing gated access from the road) and would be used by staff only.

### 2.14
The application is also proposing a package of transport mitigation measures which include the formalisation / creation of four (4) 'passing points' along Madehurst Road, the creation of a permissive footpath across the meadows to the east and south of Madehurst Lodge (to provide walkers and cyclists an alternative to using the existing road), and a servicing management plan to reduce any potential impacts from delivery vehicles.

### 2.15
The applications as originally submitted included the construction of a 'bothy' (to provide another dining space / eatery) and the conversion and extension to the existing 'Pump House' to provide additional staff accommodation. These elements have since been removed from the proposal and no longer form part of these applications.

### 3 *Relevant Planning History*

3.1 Whilst there have been a number of Listed Building Consents granted for both internal and external alterations to Madehurst Lodge, none are directly relevant to these applications. Applications that are relevant are listed below:

3.2 MD/9/87 - Construction of new dwelling (revised scheme). Conditional Permission granted 25/9/1987. This permission was implemented, the property is now known as 'Woodruff'.

3.3 MD/1/04 and MD/2/04L - Conversion of former Stable Building and Annexe to form a single dwelling. Conditional Permission and Listed Building Consent granted 4/5/2004. Works were commenced on site and the permission remains extant.

### 4 *Consultations*

4.1 **Conservation Officer**
In terms of benefits, these are mainly:
- The future well-being of the main house is maintained by a use that generates a positive income.
- The other buildings forming part of the historic assemblage will be renovated and brought back into a productive use which will help ensure their future well-being.
• The bringing back into its original use of the walled garden will produce a positive improvement for the historic environment.

The main potential harms are the veranda and the car parking.

The conclusion is that the benefits do outweigh the harm. Accordingly, supportive of a recommendation to approve the application subject to conditions.

4.2 Historic England
Historic England has some concerns regarding the application on heritage grounds, namely the veranda and car park.

They consider that the issues and safeguards outlined in their advice need to be addressed in order for the application to meet the requirements of paragraphs 129, 132 and 134 of the NPPF.

They recommend that the National Park Authority assesses the full detail of the proposals in relation to national and local planning policy, and with due regard to any public benefits that would be delivered by the development.

4.3 Landscape Officer - Objection
Following the submission of further information, they remain concerned that the proposed location of the car park is not appropriate, and the proposed mitigation measure of providing screen planting would in itself cause adverse landscape and visual effects.

Considering the development proposals purely in relation to landscape and visual matters, the potential significant adverse landscape and visual effects of the proposed development would be avoidable, if the car park were located elsewhere, and accordingly finding an alternative, less adverse location for that car park would be the appropriate mitigation strategy, rather than the fall-back position of reducing and offsetting the adverse effects.

4.4 Local Highway Authority
The LHA are satisfied with the data provided by in the transport assessment (and addendum note).

The LHA does not consider that the proposed change of use would have 'severe' impact on the operation or safety of the highway network and the car parking provision is anticipated to satisfy likely demands, therefore is not contrary to the National Planning Policy Framework (para 32), and that there are no transport grounds to resist the proposal.

Any approval of planning consent should be subject to the conditions securing the delivery of the vehicular access arrangements, a construction management plan and a servicing management plan. Any permission should also include informatives notifying the applicant of the requirements for Section 59 and Section 278 agreements.

4.5 Ecologist
Comments awaited on revisions.

4.6 Arboricultural Adviser
Comments awaited.

4.7 Environmental Health Officer
No objection subject to conditions

4.8 Arun District Council
The Council has no comments regarding the applications.

4.9 Countryside and Policy Team
Supportive of the broad principle, but would encourage the applicant to consider the following, which would assist in the proposal in meeting both park purposes:

There is an opportunity to encourage visitors to enjoy the National Park through linking to the wider rights of way network. The existing strong access network offers opportunities to reach the South Downs Way and the Monarch's Way. We would encourage the applicant to provide bikes to guests to allow car free exploration of the National Park.
There is an opportunity to provide an "information point" about the South Downs National Park by working with the SDNPA to influence visitor behaviour and ensure a positive sustainable contribution through using local produce.

The applicants provision of an informal pedestrian route is welcomed and recognised as having a local benefit (albeit that this does not directly connect with other off-road public rights of way). We would encourage consideration for this to be an easy access route for bikes, horses and those with low mobility or push chairs.

The removal of equine paddock is welcomed, provided that the equestrian use is not being displaced to a more sensitive location and that the proposed landscape and biodiversity enhancements (including hedgerow introduction and wildflower seeding as indicated on the landscape plan) are carried out.

4.10 Sustainable Tourism Officer
The South Downs National Park Visitor Accommodation Review (December 2014) notes that much of the National Park's current visitor accommodation supply is trading at full capacity. The Park has the capacity to absorb additional high quality hotel accommodation, especially accommodation that fits with the high-end, short-break market. The SDNPA Partnership Management Plan recognises the need to encourage high spending staying visitors to the Park as a way to expand the economic contribution from tourism.

Adequate road access to the hotel will be important as guests to Pig Hotels usually arrive by private car. However, it is noted that Pig Hotel guests often do not leave the hotel grounds during the day. The proposed site is less than 5km from the closest Railway Station at Amberley Station which provides a 1hr 20min rail service to London Victoria and a 30min journey time to Chichester thus making taxi transfer and cycling options perfectly viable.

4.11 Dark Skies Ranger
It is encouraging to see that the developer has addressed points raised earlier although it is still considered that the inclusion of new lighting will have a noticeable impact on sky quality.

Whilst there is no information as to precise light fittings / specification, it should be reinforced that due to its location any and all lighting should be pointing down to completely remove upward light spill - not reduce it.

On a similar point, there is reference to low level car park lights in the lighting statement, whilst the further information from the applicant is helpful the need for that much lighting will illuminate a fairly large area with a non-domestic lighting requirement which will be quite noticeable. It would be better to look at low level dark sky friendly bollard lighting rather that down lighters.

4.12 Madehurst Parish Council
A vote took place at St Mary's Magdalene Church, Madehurst on 24th January, 2017.

The question was whether to support or object to the planning applications.

The results were as follows, 67 Ballot papers were handed out, 1 was spoilt, leaving 66 votes counted:

- 51 Objections
- 15 Support

(No further information submitted by the Parish Council)

4.13 Flooding / Drainage Authority
No objection subject to conditions

4.14 South Downs Society - Objection
Contrary to policies SD18 – Transport and Accessibility and SD20 – Sustainable Tourism of the South Downs Local Plan - Preferred Options.

Access to the site is extremely poor, along lengthy narrow, sunken lanes. There is no public transport provision near to the site. It is unlikely that many customers of this development will arrive by any means other than private car, leading to a substantial change in the use and
appearance of the road as vehicles struggle to pass one another and erode the very narrow verges. The proposal is environmentally unsustainable in this location.

Scheme amounts to a significant overdevelopment and is inappropriate in this location.

No evidence provided to demonstrate that a residential use is not viable, such a use is preferable to the proposal with all the increased traffic and intrusion into a tranquil area of the national park which that would entail.

Proposal is in stark conflict with the emerging local plan and particularly draft policy SD20: Sustainable Tourism, failing to comply, as it does, with the list of stipulations which might make such an application acceptable.

5 Representations

5.1 At the time of writing the report, 317 representations objecting, 57 in support and 4 general comments (neither expressing support or objection to the proposal) have been received (across both the planning application and listed building consent). Some of those objecting or supporting have made duplicate submissions and others have submitted several comments relating to different issues at various stages of the application process (including information submitted by specialists on behalf of the objectors).

5.2 Although the grounds of objection are many and varied there are nevertheless common themes which have been summarised below.

5.3 Those objecting to the applications raise the following concerns:
- Adverse effect on the character, appearance and amenity of Madehurst
- Proposal is out-of-keeping with Madehurst
- The proposal is 'major development' and the application has not demonstrated any of the requirements of policy SD3 of the South Downs Local Plan
- The proposal is contrary to policies in the South Downs Local Plan (namely policies relating to transport, sustainable tourism, tranquillity and dark skies)
- The proposal is contrary to policies in the Arun District Local Plan (namely polices relating to protecting the countryside and landscape character of the area)
- The proposal is contrary to South Downs Partnership Management Plan (namely polices relating to sustainable transport and tranquillity)
- The proposal does not demonstrate how it will meet the purposes and duty of the National Park
- Unsustainable location, there is no public transport. Therefore, conflicts with both national and local planning policy
- Will create significant increase in traffic leading to a detrimental and adverse impact to local roads (which are narrow country lanes with limited passing points)
- Increase in traffic will be dangerous to other road users such as walkers, cyclists and horse riders
- Proposed passing points are not sufficient and will have a detrimental impact on the landscape character of the area
- Adverse impact to the landscape character of the immediate area
- Loss of tranquillity
- Does not protect or enhance the natural or historic environment
- Will cause significant harm to a heritage asset
- The proposed veranda (and demolition of existing) will have a serve impact on the architectural and historic character of Madehurst Lodge
- New extension (veranda) will have a detrimental visual impact, it is disproportionate in terms of size and scale
- Unacceptable impact on ecology / biodiversity including adverse impact on adjacent meadows / chalk grassland
- There is no need for a restaurant and / or hotel in the area
- Overdevelopment of the site
- Detrimental impact to the amenity of immediate neighbours in terms of noise, disturbance and loss of privacy
• Shepherds Huts are out of keeping for the area and will have a detrimental visual impact
• Will create significant light pollution and with have a detrimental impact on the Dark Skies Reserve
• Applicant has not demonstrated that a reasonable marketing exercise has taken place and that the existing use (as residential) is not viable.

5.4 Those supporting the applications state:
• It will become an asset to the National Park
• Will provide much needed quality tourism accommodation
• It bring employment opportunities to the area and support other local businesses
• It is a high quality development bringing back into use a neglected house and associated walled garden
• It will bring wider benefits to the local and regional economy
• Applicant's 'ethos' fits with the purposes and duty of the National Park
• Refurbishment and other proposals are sympathetic to the historic buildings
• Proposal is part of the natural evolution of the hamlet
• Support the inclusion to the 'passing points' and is much needed
• Support the inclusion of the footpath
• Good utilisation of existing buildings
• Disappointed the 'bothy' has been removed, lost opportunity for a local facility / easy access to the hospitality
• Applicant has considered all the impacts and put forward reasonable mitigation measures
• It is a good alternative use for a historic building and associated land

5.5 **Planning Officer Comment:** The above list is not exhaustive of the objections received but does cover those material to the determination of the application. At the time this report was being prepared comments were still being received from the public. An update on representations received will be available for the Committee meeting.

5.6 The applicant has submitted a statement and additional information rebutting some of the points raised by third parties and also has since submitted a number of amended plans and documents to address some of the concerns raised. Further consultation with specialists, statutory consultees and the parish council was carried out and their comments are summarised in Section 4, where relevant those comments have been updated to refer to subsequent amendments / additional information.

6 **Planning Policy Context**

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the Arun District Local Plan (2003).

6.2 The relevant policies and other material considerations to these applications are set out in Section 7, below.

6.3 **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.
Planning Policy

Relevant Government Planning Policy and Guidance

7.1 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 (DEFRA Circular) and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The DEFRA 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)

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

- NPPF – Achieving sustainable development
- NPPF – Supporting a prosperous rural economy
- NPPF - Promoting sustainable transport
- NPPF - Requiring good design
- NPPF - Promoting healthy communities
- NPPF - Conserving and enhancing the natural environment
- NPPF - Conserving and enhancing the historic environment

7.3 In addition, it is considered that the following paragraphs of the NPPF are relevant to the determination of this application: Paragraphs 14, 17, 28, 34, 58, 75, 115, 118, 125, 128 – 134, 206, of these paragraphs 128-134 require the SDNPA identification and assessment of the significance of heritage assets and to take account of the desirability to sustain and enhance this significance.

7.4 At paragraph 131, the NPPF states that when determining planning applications that involve the historic environment, Local Planning Authorities should take account of:

1) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use consistent with their conservation;

2) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

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

7.5 Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting; and (paragraph 133) where the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset. Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefit that outweighs that harm or loss; or (paragraph 134) where the proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

7.6 Paragraph 116 states that planning permission should be refused for major developments within designated areas such as the National Park except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration then has to be given as to whether this proposal is a ‘major development’ as referred to in paragraph 116 of the NPPF when considering the principle of development.

7.7 The NPPF does not provide a definition of what constitutes ‘major development’. The Authority has sought legal advice on the definition of major development from James Maurici QC, the most recent guidance being given in October 2014. The Maurici legal opinion
provides guidance on the definition of major development within National Parks. The opinion advises that major development is any development which, by reason of its scale, character or nature, has the potential to have a serious adverse impact on the natural beauty, recreational opportunities, wildlife or cultural heritage provided by a National Park. Obviously, the assessment of whether the proposal is major is therefore a matter of judgement based on all the circumstances, including the local context.

7.8 In this instance, it is considered that the physical proposed changes to the existing buildings and new buildings / structures are relatively modest in scale and the potential impacts resulting from the use of the development are localised. As such it is not considered this proposal constitutes 'major development' for the purposes of paragraph 116 of the NPPF and therefore it is not necessary to demonstrate that there are exceptional circumstances in the public interest. The assessment set out in Section 8 does consider the land-use, landscape and heritage implications of the proposal.


7.9 Sections 16 and 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant.

7.10 Section 16 relates to the grant of Listed Building Consent and states that in considering whether to grant consent special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.11 Section 66 relates to the grant of planning permission and states 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

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

7.13 The following policies of the Arun District Local Plan (2003) are relevant to this application:

- GEN3 – Protection of the Countryside
- GEN7 – The form of new development
- GEN8 – Development and provision of infrastructure
- GEN9 – Foul and surface water drainage
- GEN12 – Parking in new development
- GEN15 – Cycling and walking
- GEN18 – Crime Prevention
- GEN22 – Building and structures of character
- GEN28 – Trees and woodlands
- GEN29 – Nature conservation across the District
- GEN32 – Noise pollution
- GEN33 – Light pollution
- GEN34 – Air pollution
- DEV34 – Tourist accommodation and attractions

South Downs Partnership Management Plan

7.14 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.

7.15 The following Policies are of particular relevance to this case:

- General Policy 1 – conserve and enhance the natural beauty and special qualities of the landscape
- General Policy 3 – protect and enhance tranquillity and dark night skies
- General Policy 4 – create more, bigger, better-managed and connected areas of habitat
- General Policy 6 – favour natural functions and processes
- General Policy 9 – the significance of the historic environment is protected from harm
- General Policy 10 – improve the management of heritage assets
- General Policy 28 – improve and maintain rights of way and access land
- General Policy 29 – enhance the health and well-being of residents and visitors
- Transport Policy 37 – encourage cycling
- Transport Policy 39 – manage vehicle parking
- Transport Policy 40 – manage highway network
- Visitor and Tourism Policy 43 – support the development and maintenance of appropriate recreation and tourism facilities
- General Policy 52 – enhance local production by developing local economic supply chains and enabling businesses
- General Policy 55 – promote opportunities for diversified economic activity

7.16 The outcomes of the SDPMP are also a material consideration. Relevant outcomes include 1, 4, 5, 6, 8 and 10.

South Downs Local Plan: Preferred Options

7.17 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 modest material consideration in the assessment of these applications 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 stage of preparation of the policies within the Preferred Options Local Plan, they are currently afforded limited weight and are not relied upon in the consideration of these applications.

8 Planning Assessment

8.1 The main issues for consideration with regard to these applications are:
- the principle of the development;
- the impact on a heritage asset;
- the design of the proposals;
- the impact on landscape character;
- the impact on highways (including parking);
- the impact on nature conservation;
- the impact on dark skies reserve;
- the amenity impact on local residents, and
- the impact on flood risk and drainage.

Principle

8.2 Madehurst Lodge is of special architectural or historic interest (hence its designation as a Grade II Listed Building) however, this does not automatically prevent its conversion or adaptation to 'change' its use. As already set out in this report, national planning policy (the NPPF) specifically states that when considering applications on heritage assets, local planning authorities should take account of the 'desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use; the positive contribution that conservation of heritage assets can make; and the desirability of new development making a positive contribution to local character and distinctiveness'. In addition, the judgement to be made is whether 'substantial' or 'less than substantial' harm will be caused to the heritage asset and if 'substantial' or 'less than substantial' harm will be caused it can be outweighed by the public benefit that the proposal will create.
8.3 Whilst the proposal is not directly linked to the historical nature of the site (as a substantial single residential dwelling), it is considered that the principle of the proposal is providing uses akin to a residential use (albeit a hotel / restaurant use is an intensification of use of the buildings – which is addressed later in this report) and compatible with the special architectural or historic interest of the building(s).

8.4 It is considered that the proposal accords with paragraph 28 of the NPPF, policy GEN3 of the Arun District Local Plan and policy 43 of the SDNPMP in terms of providing a sustainable leisure / tourism development that would enable the quiet and informal enjoyment of the local area and wider National Park, benefit local employment and the local supply chain and respects the character of the area.

8.5 Furthermore, the proposal is considered to be consistent with the second purpose of the National Park, as it would support opportunities for enjoying and exploring the National Park.

8.6 A substantial amount of information, in the form of plans, images and reports, has been submitted in support of these applications. Comments have been made about the quality of the information submitted and in some cases the lack of sufficient information to enable the South Downs National Park Authority to make a decision.

8.7 Within the context of the overall quantity of information as originally submitted, the level of analysis and rationale for the works could be argued as relatively modest in parts. Despite this, it is considered that sufficient detail (including the submission of revised and additional information) is provided to aid making a judgment of the potential impacts, and in particular the heritage and landscape impacts, of the proposal.

8.8 In light of the above, it is considered that it would be unreasonable to refuse planning permission on the grounds that the principle of converting Madehurst Lodge and associated buildings and land (including Woodruff) is contrary to the NPPF, the Arun District Local Plan and the SDNPMP. The issue of harm and impacts on the first purpose of the National Park and other national and local planning policies are addressed further in the following paragraphs.

Impact on Heritage Assets

8.9 Particular obligations fall upon the Authority in determining any application which involve a Listed Building(s), as set out in Section 7 of this report. To clarify, the walled garden, ‘Woodruff’ and its associated garage are not listed and are not considered to be part of the curtilage listing of Madehurst Lodge. The walled garden is considered to be a non-designated heritage asset. The following assessment has considered the site as a whole.

8.10 This application has a number of different elements which could have an impact on the heritage asset. In determining these applications regard has been had to the advice from Historic England and the Authority’s Conservation Officer (as set out in Section 4 of this report).

8.11 In the whole the internal and external alterations to the existing buildings, and overall design of new buildings (including the Shepherd Huts) are considered to be relatively modest, sympathetic in nature and do not result in the loss of any significant fabric or historic features.

8.12 It is considered that the existing outbuildings and parts of the Main House are in a poor state of repair and in some instances have seen modern alterations which detract from their original form. The proposals put forward for their renovation are considered to have been carefully thought out and well-designed resulting in a beneficial use which would not harm the heritage asset. It is considered that generally the proposals would be of benefit by improving the management of a heritage asset, enhancing the historic features and allowing the heritage assets to be appreciated. In addition, it is considered that the proposals for the walled garden and grazing meadows would be considered as a very significant benefit of the proposal.

8.13 The installation of a commercial kitchen requires the removal of the chimneybreast / pillar in the existing kitchen. It is accepted from an operational point of view that the retention of
this element is not feasible and it is considered that whilst this would cause harm to the heritage asset, such harm is considered to be less than substantial and can be outweighed by wider benefits the proposal would bring, which include the retention and conservation of the existing service rooms. There are two other elements, the veranda extension and the main car park which are considered in more detail below.

8.14 The Veranda Extension – the proposal is to remove the current veranda structure on the western elevation of Madehurst Lodge, to be replaced by a large single storey extension to accommodate the dining area for the proposed restaurant. The external façade of the extension will replicate the design of the original veranda. It should be noted, as highlighted in the comments from Historic England and the Authority’s Conservation Officer, that whilst a veranda is a defining feature of early 19th Century houses such as Madehurst Lodge, the current structure is not original to the existing building. The current veranda does appear to be on the footprint of the original and could include some original elements such as the iron arches. However, the glazing (including white plastic guttering) and trellis works are more modern and are not sympathetic to the buildings historic context. Therefore, it is considered acceptable in principle to replace the current veranda.

8.15 Following the submission of revised drawings, it is considered that the proposed veranda extension in its form and design is more sympathetic in its approach to replicate the original albeit the footprint is larger and the overall design is a modern interpretation. It is considered, subject to suitable worded conditions securing the precise detailing and materials to be used, that the extension would not obscure or detract from the appreciation and understanding of the architectural style and age of the Main House, therefore the harm caused is deemed to be less than substantial.

8.16 The applicant has provided further information based on commercial reasons and space standards to explain why the footprint of the extension is larger (to accommodate the dining area of the restaurant) and due to the internal layout of the Main House why other alternatives are not feasible or would require more substantial alterations than is proposed (which in turn might not be acceptable in heritage terms). It is considered that overall the veranda extension would cause harm by being a larger and more modern extension but for the reasons set out above that harm is deemed to be less than substantial and can be outweighed by the public benefit of the proposal by securing the long term future of the buildings (and land) which is viable and consistent with the buildings conservation and the overall proposal would enable the wider public to enjoy and experience this heritage asset.

8.17 Main Car Park – the main car park (with 64 spaces) is proposed to be located outside the entrance of ‘Woodruff’ on land set up above Madehurst Road and the entrance to the Main House. Both Historic England and the Authority’s Conservation Officer have expressed concerns that the proposed location of the car park is not desirable and that it could cause a visual intrusion affecting the setting of a heritage asset i.e. it could harm the ‘sense of arrival’ to a heritage asset.

8.18 Further information supplied by the applicant has explored alternative locations for the car park, however each of the other locations have an equal, or in some cases more significant, impact in heritage terms. It is considered that the proposed car park will be fairly well hidden with adequate screening located immediately adjacent to a building which is not a heritage asset. Whilst it is accepted that the car park will cause a degree of harm to the setting / ‘sense of arrival’ to the heritage asset it is considered that this is less than substantial. Therefore, the less than substantial harm caused can be outweighed by the wider public benefits of the scheme.

8.19 This issue of viability has been raised by third parties in reference to the position that the existing residential use is viable and that the applicant has not demonstrated in sufficient detail that the alternative use put forward is the only option to conserve this heritage asset. Firstly, and as set out above, it is considered that sufficient information has been provided to enable a judgment of the potential heritage impacts of the proposal to be made.

8.20 As previously highlighted, it is considered that the proposal would lead to ‘less than substantial harm’, therefore, the strict requirements of paragraph 133 of the NPPF do not
apply. Paragraph 134 of the NPPF states 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'. The key word to be considered is 'securing', meaning there should be some certainty that it will not only represent but provide the optimum viable use. In addition, in the context of paragraph 134, the test for optimum viable use is whether the public benefits and harm to the heritage asset associated with the proposed use would outweigh the existing use. Paragraph 134 does not explicitly mention the type of evidence that is required to demonstrate the optimum viable use and public benefits (unlike the requirements of paragraph 133).

8.21 Consideration has also been given to the High Court Cases of Gibson vs Waverley (2012) and the Queen vs Waverley (2015) which offers guidance on assessing the material nature of alternative viable proposals and works affecting a heritage asset. The case law sets out that the where a test of optimum viability is concerned, the assessment must give weight to potentially viable uses and in turn balance the weight in terms of the level of public benefit against the harm to the heritage asset.

8.22 In addition, consideration has also been given to the National Planning Practice Guidance on this issue, which states 'the vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation'.

8.23 It is accepted that the existing residential use might be a viable use and could result in less harm to the heritage asset, although it has to be acknowledged that generally substantial country houses required a significant investment for their maintenance. In this case, whilst generally the Main House is in a reasonable state of repair, the same could not be said for a number of the existing outbuildings or the walled garden and this is considered to be causing harm to the heritage asset.

8.24 In assessing this application, weight has been given to the fact that the applicant was successful in purchasing the site after a sufficient marketing period, and the applicant acquired the site for its heritage features as it fits the overall brand of the hotel operator to provide a 'country hotel' experience with a restaurant committed to kitchen garden produce by creating a 'garden to plate experience'. Whilst representations from third parties appear to indicate that there are alternative purchasers that would keep the asset in its existing use, this is purely anecdotal and therefore can be afforded limited weight.

8.25 It is considered that the proposal is consistent with paragraphs 132 and 134 of the NPPF, as the proposal secures and ensures the future conservation of the heritage asset and avoids potential harmful changes by bringing the whole site back into a single use and ownership. In addition, it is considered that overall this proposal would cause harm to a heritage asset but that harm is considered to be less than substantial, and can be outweighed by the wider public benefits of the scheme (those benefits have been set out above). Therefore, it is considered that the proposal is in accordance with paragraphs 129, 132 and 134 of the NPPF, GEN22 of the Arun District Local Plan, the first purpose of the National Park and legislative provisions associated with Listed Buildings.

Design

8.26 A number of design elements, including the veranda extension, have been addressed in other sections of this report. However, it is considered the overall design of the new 'Chicken Coop', reinstated 'Garden Room' and new 'treatment' rooms fit well into the context of the site and the other existing buildings immediate around the location of the new ones. The form, detailing and proposed materials are consistent with those found on the existing buildings and their construction would not look out of place.

8.27 Whilst the design of the six proposed Shepherd Huts are larger than more traditional huts and such huts are more likely to be found up on the Downs rather in a walled garden and field to an early 19th Century House, their form and design are sympathetic to their context, would not have a detrimental visual impact and are not out-of-keeping with their rural location.
8.28 Therefore, it is considered the proposals are consistent with the relevant policies in the NPPF and Arun District Local Plan.

**Landscape Character**

8.29 Following the submission of revised plans and additional information, it is considered that generally the proposal does not have a detrimental impact on the landscape character of the area and in some aspects, such as the improvements to the walled garden and proposals for the adjacent meadows, would have a beneficial impact. However, there are two areas of concern, the proposed main car park and highway improvement works, which are considered in more detail below.

8.30 As highlighted by the Authority’s Landscape Officer, the perceptual qualities of the section of rural lane adjacent to the proposed car park is currently one of prospect and refuge and has lesser enclosure / tree cover than elsewhere along the lane. The current situation allows for glimpses through, particularly for those travelling east but to a lesser extent for those travelling west, to panoramic views of the Downs.

8.31 It is acknowledged that the introduction of the car park would, to some degree, lead to the urbanisation of the area (including the loss of part of the adjacent meadow / paddock) and the proposed planting / screening would lead to a greater sense of enclosure. It is considered that the principle of the planting / screening is a reasonable and necessary mitigation measure to reduce the visual impact of the car park, and to protect and enhance the wider landscape character of the area. In addition, it is considered that due to its location partly in a more domestic setting (and other elements associated with the use of Woodruff as a private residential dwelling), the car park and screening are not considered to be so out of character for the area and would not necessarily have a detrimental impact on the landscape character and visual impact on those travelling west along the lane.

8.32 It is recognised that the greatest impact is on those travelling east along the lane, there would be a more noticeable impact on the sense of enclosure and a loss of the glimpsed views across the landscape. However, it is considered that the impact is not so significantly adverse to refuse planning permission. In addition, it is considered that the inclusion of the permissive footpath would be a significant benefit of the proposal, as it would to some extent enable the views and more open nature of this particular area to continue to be experienced and enjoyed. If permission is granted, the footpath could be secured via a S106 legal agreement.

8.33 As set out previously, it is considered that the principle of development is acceptable and there is a level of car parking that is required for those uses. As set out in the comments from the Local Highway Authority, the level of car parking proposed is acceptable. Therefore, there is a balanced judgement to be made between the need to provide the parking spaces on a scheme that offers a good re-use of the historic asset, and how those spaces are provided on site and their impact. The applicant has provided sufficient information exploring alternative locations for the car parking to enable that judgement to be made. Whilst some of the alternative locations would have a lesser impact in landscape and visual terms (it is considered that some would have a greater impact such as the need to remove more trees / planting and ground levelling works to facilitate the access requirements for example), it is considered that they would have a greater impact on the heritage asset and its setting.

8.34 It is also acknowledged that the formalisation of the proposed ‘passing points’ and alterations to the site access (as part of the highways mitigation measures put forward) would to some extent erode the rural character by potentially ‘opening up’ a more enclosed lane. However, it is considered the impact can be mitigated by the use of appropriate materials and additional planting and these can be secured by a suitably worded condition.

8.35 The proposed car park and the highway mitigation measures would ultimately change the landscape character of this part of the area. However, those impacts can be lessened with mitigation measures and it is considered that the residual impacts are not so severe to refuse planning permission. Therefore, on balance, it is considered that since the proposed uses would make an overall positive contribution to the local area, protect and enhance a
heritage asset and provide wider benefits to the National Park, it may be regarded as having sufficient merit to satisfactorily outweigh any concerns over the impacts to the landscape character of a particular part of the area.

**Highways and Parking Provision**

8.36 The applicant has submitted reports (a Transport Assessment and Stage 1 Road Safety Audit, as amended) in support of the application demonstrating that there would not be a detrimental or 'severe' impact on the local road network, the level of parking with the scheme complies with local requirements and proposals to help reduce the reliance on private cars and mitigation measures to reduce the potential impacts of the proposal are included in the scheme.

8.37 The proposal will be served via Madehurst Road a 'D' class road subject to national (60 mph) speed limit. Madehurst Road connects to the A29 via a T-junction to the north and south east of the site. The road predominantly serves residential traffic, surveys have been undertaken to ascertain the types of vehicles using the lane.

8.38 In assessing trip generation and its impact, the applicant has used standard industry practice to make those assessments. This approach is supported by the Local Highway Authority (LHA), through its own published guidance and the (now archived) DIT 'guidance on transport assessments'. It is considered that the applicant has used appropriate and proportionate methodologies to assess the trip generation and its potential impact.

8.39 Having assessed the information, and as set out in the comments from the LHA, from a capacity perspective it is considered that the proposal would not have a severe residual impact.

8.40 The applicant recognises some of the concerns raised by third parties about vehicles passing on the existing road and is willing to implement the addition of passing lay-bys (some of these are present) and informal passing-bays to allow vehicles to pass when necessary. In addition, the applicant is also proposing a permissive footpath across the adjacent meadows (to take pedestrian off the road near the site).

8.41 As supported by the comments from the LHA, it is considered that these proposals would benefit all road users and help mitigate the increase in traffic movements and in the case of the footpath would be a significant benefit to the local area and would help to enhance the enjoyment of the National Park. If permission is granted, the footpath could be secured via a $106 legal agreement.

8.42 Comments by third parties (including a transport consultant on behalf of the objectors) have stated that Madehurst Road is a narrow road with poor surfacing. Maintenance of the road is not a material planning consideration and is the role of the LHA to ensure that the road surface is maintained to an appropriate standard. However, it is accepted that construction traffic would be seen as 'extraordinary', therefore it is considered reasonable and necessary to secure the agreement of a construction management plan to ensure any damage caused as a result of the development is made good.

8.43 Consideration has also been given to the impact on the existing junction with Madehurst Road and A29 and in the vicinity of the site access onto Madehurst Road. There are no records of accidents in the vicinity of the site and those accidents recorded for the Madehurst Road / A29 junctions were the result of driver error or weather conditions not due to the design of the access. There is no evidence to support the assertion that the junction is operating unsafely, or that the proposed change of use would exacerbate an existing safety concern. With regards to site access, the submitted Stage 1 Road Safety Audit has been through the LHA exception report process and subject to securing the detailed viability spray (as shown on revised drawing 2016/3187/020-Rev A) there is no objection to the proposal.

8.44 It is considered that the total 68 car parking spaces being proposed, is consistent with GEN12 of the Arun District Local Plan and the parking provision would satisfy the likely demands.
8.45 Accordingly, it is considered that proposed alterations to the access / egress of the site, the proposed ‘passing points’ and level of proposed car parking are acceptable and appropriate, and conditions securing the elements highlighted by the LHA are necessary and reasonably required to mitigate the impact of the proposal. Therefore, it is considered that the proposal is in accordance with paragraph 32 of the NPPF and GEN12 of the Arun District Local Plan.

8.46 The issue of the design and landscape impact of the highway mitigation measures and proposed car parking have been addressed elsewhere in this report.

8.47 Comments have been raised regarding the ‘unsustainable location’ for such a proposal given the lack of public transport and the character of local roads being largely unsuitable for walkers and cyclists. Whilst it is accepted that hotels and restaurants are encouraged to locate in areas with higher accessibility to public transport it does not preclude such uses being located in rural areas. As previously stated the business model for the hotel brand in this case is predominately based on a ‘country house’ (with associated land) with a restaurant providing a ‘ground to plate’ experience. It is accepted that the visitors / guests will predominantly arrive by car but as previously stated the level of trips created by the proposal would not have a severe impact on the local road network (both in terms of capacity and safety). It is considered that the location of Madehurst Lodge is not so remote from public transport options to be considered unacceptable and in addition it is considered that the applicant has put forward reasonable measures to offer alternatives for visitors / guests and staff. Therefore, it is considered that in transport terms this proposal is in accordance with relevant policies in the NPPF, the Arun District Local Plan and the SDNMP.

Impacts on Nature Conservation

8.48 An Ecological Appraisal (as revised) has been submitted in support of the proposed development, which has identified strategies for mitigation as part of the proposals, such as protective measures for key species and habitats, precautionary approach to demolition works, further inspections to identify the status of any roosts, sensitive lighting strategy, phased removal of trees / vegetation and landscape management measures.

8.49 Further enhancement works are also identified for the proposed works, including boxes for bats, dormice and birds and enhancements to existing and planting of new hedgerows and scrub habitat.

8.50 The issue of the loss of part of the existing meadow for car parking has been addressed elsewhere in this report.

8.51 It is noted that there have been third party concerns raised regarding the impact of the proposal on protected species and habitats. These have been considered, however, and in accordance with the Conservation of Habitats & Species Regulations 2010, it has been concluded that subject to the mitigation measures being proposed are implemented, protected species and habitats will be protected, whilst features of the proposed development would maintain the green infrastructure across the site and some cases enhance biodiversity. It is considered necessary and appropriate to secure the mitigation measures via suitably worded conditions to ensure there are no significant adverse impacts to these protected species and habitats. It is therefore considered that the proposed development would accord with the NPPF, the Arun District Local Plan and the first purpose of the National Park.

Impact on Dark Skies Reserve

8.52 Concern has been raised about the overall level of lighting proposed across the site and in particular direct impact on neighbouring residential properties, the detailed lighting in the car park area and light coming out of the veranda extension. It is considered that due to the position and general type of lighting proposed there would not be any direct impacts on the neighbouring residential properties.

8.53 It is recognised that this proposal is introducing new and additional lighting sources (where there is currently no or little lighting) which could impact on the quality of the dark skies. However, it is considered that such impacts can be reasonably mitigated via suitably worded
conditions, therefore the proposal is consistent with policy GEN33 of the Arun District Local Plan and policy 3 of the SDNMPM.

**Impact on amenity of local residents**

8.54 As set out in many of the third party representations, concerns have been raised about the impact of the proposal on the tranquillity of this rural location in terms of noise and disturbance from traffic, noise and disturbance from visitors/guests using the site (including activities at unsociable hours), loss of privacy and overlooking. The issue of light pollution has been addressed under the impact to dark skies section of this report.

8.55 There are two elements to the assessment of these potential impacts, the construction phase and the completed scheme.

8.56 Dealing with the construction phase first, it is recognised that local residents living in and around Madehurst Lodge would be affected by the construction phase and in particular the construction traffic/delivery of materials to site. Residents living immediately adjacent to the site would also experience general noise and disturbance issues associated with such construction works. However, as highlighted in the comments from the Environmental Health Officer, it is considered that such impacts will be relatively short in duration and can be mitigated by the use of suitably worded conditions restricting the hours of working and a construction management plan. Therefore, it is considered reasonable and necessary to secure such conditions.

8.57 For the completed scheme, it is recognised that local residents will experience noise and disturbance impacts associated with an intensification of use on the site due to the number of people on site (including the use of the restaurant and outdoor terrace area), people travelling to and from the converted/new outbuildings and Shepherd Huts, people travelling to and from the site, and deliveries/servicing of the site.

8.58 Given the location of the car park and its proximity to any existing neighbouring properties, it is considered that residents living nearest the site are unlikely to experience any adverse impacts associated with people using the proposed car park.

8.59 The four Shepherd Huts and ‘Garden Room’ located within the walled garden, due to their location and orientation and proximity to existing boundary walls, would not give rise to any impacts in terms of overlooking or loss of privacy to neighbouring properties. It is recognised that guests will have to travel across a publicly accessible lane to access this accommodation and the proposed treatment rooms in the walled garden. However, given the limited number of total guests (and staff) using this route at any one time, it is not considered that such a use would give rise to unacceptable levels of noise and disturbance to have an adverse impact on the neighbouring properties of Parlettes Farmhouse and Barns.

8.60 The converted ‘Stable Block’, ‘Grooms House’, ‘Chicken Shack’, the new ‘Chicken Coop’ and the two Shepherds Huts located in the field to east of Woodruff (to rear of Parlettes Farmhouse and Barns) due their location and orientation would not give rise to any impacts in terms of overlooking or loss of privacy to the neighbouring properties of Parlettes Farmhouse and Barns.

8.61 It is recognised that guests will have to walk through the site to access this accommodation and such an access runs to rear of Parlettes Farmhouse and to some extent Parlettes Barns. However, the proposed hotel rooms and the neighbouring properties are separated by an existing closed board fence and given the limited number of total guests (and staff) using the access route at any one time, it is not considered that such a use would give rise to unacceptable levels of noise and disturbance to have an adverse impact on the neighbouring properties of Parlettes Farmhouse and Barns.

8.62 The proposed changes to the ground floor layout of the Main House will result in an existing kitchen and lounge sitting room being converted to an office and hotel bedroom. There are no proposed changes to the existing three windows in this elevation, closest to Parlettes Farmhouse. It is considered due to the orientation of the existing windows, the proposed change of use would not give rise to any impacts in terms of overlooking or loss of privacy to the residents of Parlettes Farmhouse.
8.63 The main area of potential noise and disturbance (including odours) and impact on the overall tranquillity of the area would come from the use of restaurant and outdoor terrace, the commercial kitchen and deliveries/servicing of the site. As highlighted in the comments from the Environmental Health Officer, there is no objection to the principle of these uses and in recognition of the potential impacts recommends a number of conditions such as securing the final details of the commercial kitchen equipment, limiting the hours for deliveries and agreeing an overall servicing/operational management plan for the site.

8.64 It is recognised the due to the nature and intensification of use of the site, local residents would experience general noise and disturbance, some of which could occur during ‘unsociable hours’ which in turn could have an adverse impact on the tranquillity of the area. Therefore, it is considered reasonable and necessary to mitigate the potential impacts by imposing a number of additional conditions restricting the hours of use of the site by non-guests, restricting the hours of use of the outdoor terrace area and restricting the hours of servicing and glassware disposal.

8.65 Some of the third party representations have also made reference to the fact that the applicant holds weddings and a music festival event at some of other establishments falling under the ‘Pig’ brand. For this application, the applicant has provided a statement to confirm that weddings and the existing food and music festival do not form part of the business model for this site. Whilst the majority of issues relating to wedding venues and festivals fall outside the planning system and would be covered by the licensing regime, nevertheless it is considered that the proposed conditions referred to in the paragraph above would be reasonable and necessary to protect the amenity of local residents and the tranquillity of the wider area.

8.66 In conclusion, it is considered that whilst local residents would suffer from temporary noise and general disturbance during the construction period, and for some residents, experience some noise and disturbance from the intensification of use on the site, subject to securing the mitigation measures those potential impacts would not have an adverse effect on the amenity of local residents or tranquillity of the local area. In addition, any potential impacts are outweighed by the benefit of conserving a heritage asset and the wider benefits to the National Park that such a proposal would bring. Therefore, it is considered that in amenity and tranquillity terms this proposal is in accordance with relevant policies in the NPPF, the Arun District Local Plan and the SDNMP.

Flood Risk and Drainage

8.67 The site is within Flood Zone one, but is over 1 hectare in area, which is why a consultation was requested from the Lead Local Flood Authority. The increase in the number of buildings and introduction of a car park area (and associated hard surfacing) would represent a potential increase to risk of flooding (surface and foul water). The applicant has put forward a number of mitigation measures, including a new sewage treatment plant, soakaways and permeable surface materials.

8.68 As highlighted by the comments from the Lead Local Flood Authority, there is no objection to the principle of what is proposed however further detailed calculations are required to demonstrate the proposals are sufficient to deal with surface water drainage. It is considered reasonable and necessary to secure a full detailed drainage strategy via a suitably worded planning condition. Therefore, it is considered that the proposal is in accordance with policy GEN9 of the Arun District Local Plan.

9 Conclusion

9.1 It is considered that this proposal would create a new chapter in the life of the Madehurst Lodge whilst respecting its heritage. On balance, it would make a positive contribution to the character of the local area, it would conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park, promote opportunities for the understanding and enjoyment of the special qualities of the National Park and would not have a detrimental impact on the amenity of local residents. Any limited harm caused by this proposal can be predominately mitigated against and is outweighed by securing a long term use for the building(s) and land and the wider benefits to the purposes of the National Park.
9.2 In coming to this conclusion regard has been had to the impact of the proposal on the special architectural or historic interest of the Listed Building(s).

9.3 Therefore, it is considered that the proposal would accord with the relevant policies with the NPPF, the Arun District Local Plan, the South Downs National Park Partnership Management Plan 2014-2019 and the DEFRA Circular and purposes of the National Park.

10 Reason for Recommendation and Conditions

10.1 It is recommended that the planning permission be approved subject to

a) the conditions set out below and the completion of a S106 legal agreement to secure the provision of the footpath and Travel Plan, and

b) that authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the S106 Agreement is not completed within 3 months of the 13 April 2017 Planning Committee meeting.

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
   Reason: to comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading 'Plans Referred to in Consideration of these Applications'.
   Reason: For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the details shown on the approved plans, prior to the commencement of the development hereby permitted, unless otherwise agreed in writing by the South Downs National Park Authority, a schedule of all external materials and finishes to be used in the development (including the Shepherd Huts), including samples where necessary, shall be submitted to and approved in writing by the South Downs National Park Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.
   Reason: To safeguard the appearance of the development in the interest of conserving and enhancing the heritage asset and landscape character of the area.

4. Notwithstanding the details shown on the approved plans, prior to any works commencing on site unless otherwise agreed in writing by the South Downs National Park Authority, details of all materials and new joinery including windows, timber and metal framework, roof lights and doors (including mitigation measures to reduce the impact on the dark skies reserve) of the new veranda extension forming part of the development hereby permitted, shall be submitted to and approved in writing by the South Downs National Park Authority. Such details shall include elevations and sections, glazing bars and mullions, showing the relationship to the main house. Only those approved details shall be employed within the development and retained thereafter.
   Reason: To safeguard the appearance of the development in the interest of conserving and enhancing the heritage asset and landscape character of the area.

5. Prior to any works commencing on site, a final Tree Works / Removal and Protection Plan (indicating which trees are to be removed and / or pruned and how the remaining trees will be protected, in accordance with 'Supplementary Information: Arboriculture' report produced by David Hares Landscape Architecture) shall be submitted to and approved in writing by the South Downs National Park Authority. The development (including any construction works) hereby approved shall be carried out in full accordance with the agreed plan and the measures identified in the 'Supplementary
Information: Arboriculture report (produced by David Hares Landscape Architecture) and the Arboricultural Impact Assessment Report (produced by Alderwood Consulting Limited, reference D1463AIA), unless otherwise agreed in writing by the South Downs National Park Authority.

Reason: In the interests of amenity and conserving and enhancing the heritage asset and landscape character of the area.

6. Notwithstanding the details shown on the approved plans, prior to the commencement of the development hereby permitted, unless otherwise agreed in writing by the South Downs National Park, details of the soft landscaping associated with each element of the permitted development shall be submitted to and approved in writing by the Local Planning Authority. The plans shall include, but are not limited to the following:
   - Species
   - Planting sizes
   - Planting methods including tree pit design and support proposals (underground guying etc)
   - Ground preparation
   - Surface dressing, where appropriate
   - Grassing / turfing operations
   - Seed mixes
   - Written specification for soil amelioration including cultivations, planting methodology, establishment and maintenance operations
   - Bunding and swales (including cross-sections)

Reason: In the interests of amenity and to conserve and enhance the landscape character.

7. Notwithstanding the details shown on the approved plans, prior to the commencement of the development hereby permitted, unless otherwise agreed in writing by the South Downs National Park, details of the hard landscaping associated with each element of the permitted development shall be submitted to and approved in writing by the South Downs National Park Authority. The plans shall include, but are not limited to the following:
   - Hard materials (including the surfacing of the outdoor terrace area)
   - Layout of surfaces including any kerbs, edges, steps and ramps
   - Location of any street furniture, including signage and lighting
   - Tree grilles and tree pit surfaces
   - Drainage proposals including gullies, surface covers, surface water channels, surface levels and falls
   - Proposed and existing levels and falls
   - Boundary treatments including any bollards, railings and fencing

Reason: In the interests of amenity and to conserve and enhance the landscape character.

8. All hard and soft landscape works shall be carried out in accordance with the approved details (in accordance with Conditions 6 and 7).

All hard landscaping shall also be carried out in accordance with the approved details prior to the development hereby permitted first being brought into use or in accordance with a programme to be agreed in writing by the South Downs National Park Authority.

All soft landscaping shall be carried out in accordance with the approved details and in the first planting and seeding season following when the development is first brought into use. All shrubs, trees and hedge planting shall be maintained free from weeds and
shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by South Downs National Park Authority.

Reason: In the interests of amenity and to conserve and enhance the landscape character.

9. Before the development hereby permitted is first brought into use, a landscape and ecological management plan, including the management objectives and responsibilities and maintenance schedules for a minimum of five years for all the landscaped areas, shall be submitted to and approved in writing by the South Downs National Park Authority. Maintenance shall be carried out in accordance with the approved details.

Reason: In the interests of amenity and to conserve and enhance the landscape character.

10. No works pursuant to this permission shall commence until a Construction Management Plan (to include construction vehicle routing, deliveries timing, the provision of loading / offloading areas, wheel wash facilities, site office and contractors parking area) has been submitted to and approved in writing by the South Downs National Park Authority. The approved plan shall be implemented and maintained until the development is complete unless otherwise agreed in writing by the South Downs National Park Authority.

Reason: To enable the South Downs National Park Authority to control the development in detail in the interest of maintaining a safe and efficient highway network and in the interest of the amenity of the area in accordance with the objectives of the National Planning Policy Framework and polices in the Arun District Local Plan.

11. Prior to the commencement of the development, unless otherwise agreed in writing by the South Downs National Park Authority, detailed plans, including levels, sections, construction and landscaping details of the proposed highway improvement works (as indicated in the RGP Transport Assessment PWPA/16/3187/TA01, December 2016 and drawings 2016/3187/018, 2016/3187/09 and 2016/3187/020-Rev A) shall be submitted to and approved in writing by the South Downs National Park Authority (in conjunction with the Local Highway Authority). The highway improvement works shall be carried out in accordance with the approved details and the requirements of a Section 278 Agreement under the provisions of the Highways Act 1980 prior to any part of the site first being brought into use.

Reason: In interest of maintaining a safe and efficient highway network, in the interests of amenity, to conserve and enhance the landscape character and in accordance with paragraph 32 of the National Planning Policy Framework 2012.

12. The development hereby permitted shall not be brought into use until space has been laid out in accordance with drawing 1120 Rev H for 64 cars to be parked and thereafter retained.

Reason: To ensure an adequate and satisfactory standard of parking provision, in accordance with policy GEN12 of the Arun District Local Plan 2003 and paragraphs 29, 30 and 34 of the National Planning Policy Framework 2012.
13. Notwithstanding the details shown on the approved plans, before the development hereby permitted is first brought into use, details of the visitor and staff cycle parking facilities shall be submitted to and approved in writing by the South Downs National Park Authority. The approved cycle parking details shall be implemented prior to the occupation of the development and thereafter retained.
Reason: To provide for alternative modes of transport, in accordance with paragraphs 29, 30 and 34 of the National Planning Policy Framework 2012.

14. The development hereby approved shall be carried out in full accordance with the mitigation and enhancement measures identified in the Lindsay Carrington Ecological Service - Ecological Appraisal and Phase 1 & 2 Bat Report dated November 2016, as amended by the letter from Lindsay Carrington Ecological Service dated 30th January 2017, unless otherwise agreed in writing by the South Downs National Park Authority.
Reason: To ensure that wildlife and biodiversity are protected and enhanced during the construction of the development and in accordance with the objectives of the National Planning Policy Framework.

15. Notwithstanding the details shown on the approved plans, prior to the development hereby permitted first being brought into use, details of all external lighting (designed to minimise impacts on wildlife and avoiding light spill) shall have been submitted to and approved in writing by the South Downs National Park Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the South Downs National Park Authority.
Reason: To enable the South Downs National Park Authority to control the development in detail in the interest of amenity, to safeguard the amenities of the occupiers of adjoining properties and in accordance with GEN33 of the Arun District Local Plan.

16. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the South Downs National Park Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the South Downs National Park Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.
Reason: To safeguard the health of future occupiers of the site and in accordance with paragraphs 109 and 121 of the National Planning Policy Framework 2012.

17. Notwithstanding the details shown on the approved plans, before the development hereby permitted is first brought into use, details of refuse and recycling storage facilities shall be submitted to and approved in writing by the South Downs National Park Authority. The approved refuse and recycling storage facilities shall be implemented prior to the occupation of the development and thereafter retained.
Reason: To ensure that adequate provision is made for the storage of refuse and recyclable materials and to protect the character and amenity of the area in accordance with policies GEN32 and GEN34 of the Arun District Local Plan 2003.

18. No works pursuant to this permission shall commence, unless otherwise agreed in writing by the South Downs National Park Authority, until an Operational Management Plan (to include details on how the premises will be managed to mitigate any potential impacts on noise and disturbance to neighbouring residential properties from guests / visitors and staff using the site and the management of deliveries to and from the site) has been submitted to and approved in writing by the South Downs National Park Authority.
Authority. The approved plan shall be implemented and maintained thereafter unless otherwise agreed in writing by the South Downs National Park Authority.

Reason: In the interests of amenity and conserving the landscape character of the area.

19. Notwithstanding the details approved in accordance with Condition 17 and the requirements of Condition 21, any empty glassware associated with the development shall only be disposed of between the following hours:
   - 8am to 9pm Mondays to Saturdays
   - 12pm to 9pm Sundays

Reason: In order to protect the character and amenities of the local area.

20. During construction of the development hereby permitted, no works or deliveries shall take place outside the hours set out below unless otherwise agreed in writing by the South Downs National Park Authority:
   - 8am to 6pm Mondays to Fridays
   - 9am to 1pm Saturdays
   - No works shall take place on Sundays, Bank or Public Holidays

Reason: In order to protect the character and amenities of the local area during the period of construction.

21. No servicing to the development hereby permitted (i.e. deliveries to and from the site) shall take place outside the hours of:
   - 7am to 6pm Mondays to Fridays
   - 7am to 1pm Saturdays
   - 9am to 1pm on Sundays, Bank or Public Holidays

Reason: In order to protect the character and amenities of the local area.

22. The proposed restaurant (and ancillary bar) shall not be open for business to the general public (non-hotel patrons) outside the hours of 7.30am to 11pm.

Reason: In order to protect the character and amenities of the local area.

23. Notwithstanding Condition 24, the associated outside terrace area (as indicated on drawing 1141 Rev C) shall not be available for its intended use outside the hours of 7.30am to 10pm.

Reason: In order to protect the character and amenities of the local area.

24. Notwithstanding the details shown on the approved plans, the restaurant use hereby granted permitted shall not brought into use unless and until details of the odour / air extraction system(s) has been submitted to and agreed in writing by the South Downs National Park Authority. The details shall include the position and design of the kitchen extract flue and filters, and also ventilation / air conditioning of the restaurant and ancillary areas, and all other necessary details. The fume extraction equipment hereby approved shall be installed and in full working order fully in accordance with the approved scheme prior to the commencement of the use of the new kitchen area and be thereafter maintained for as long as the use continues and shall be operated in such a manner as to suppress effectively the emission of fumes and smell. The system shall be fitted with a timer to ensure it stops operating when the premises close after their daily operation. Should any additional modifications to the system be required to suppress effectively the emission of fumes and smell, details of these shall be first submitted to and agreed in writing by the South Downs National Park Authority unless the modifications constitute development in which a separate application for planning permission will be required.

Reason: In the interest of the amenities of the local area.
25. Notwithstanding the details associated with Condition 24, prior to the installation of any fixed plant and/or equipment, a scheme for protecting neighbouring residential premises and on-site accommodation from noise generated by the plant and/or equipment shall be submitted to and approved in writing by the South Downs National Park Authority. The scheme shall demonstrate that the combined noise level from all such plant (expressed as an L_{Aeq,5minute}) will be 5dB below the measured background noise levels (expressed as an LA90 over one hour) representative of the quietest period of a typical week. The assessments shall be made at 1 metre from the façade of the nearest residential premises. The equipment shall then be installed in accordance with the approved details and shall thereafter be retained in that condition unless otherwise agreed in writing with the South Downs National Park Authority.

Reason: To ensure that acceptable noise levels within nearby dwellings and the on-site accommodation are not exceeded in the interests of the amenities of the local area.

26. No development shall take place, unless otherwise agreed in writing by the South Downs National Park, until details of surface water drainage, which shall follow the principles of sustainable drainage (SuDS) as far as practicable, have been submitted to and approved by the South Downs National Park Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. The drainage shall be provided in accordance with the approved details before first occupation of the development.

Reason: To ensure satisfactory surface water drainage and in accordance with GEN9 of the Arun District Local Plan 2003.

27. Details of the long term maintenance arrangements for any parts of the drainage system which will not be adopted (including any ponds, ditches, swale, permeable paving, land drains) to be submitted and approved in writing by the South Downs National Park Authority prior to the first occupation of the development hereby permitted. The submitted details should specify the responsibilities of each party for the implementation of the SuDS scheme, a timetable for implementation, provide a management plan and maintenance plan for the lifetime of the development which should include arrangements for adoption by any public authority or statutory undertaker and any other arrangement to secure the operation of the scheme throughout its lifetime. The management and maintenance arrangements shall be carried out in accordance with the approved details over the period specified.

Reason: To ensure satisfactory surface water drainage and in accordance with GEN9 of the Arun District Local Plan 2003

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order), no buildings or structures, extensions or additions to existing buildings or structures, or means of enclosure shall be made or erected without a grant of planning permission, other than those shown on the plans hereby permitted, from the South Downs National Planning Authority.

Reason: To enable the South Downs National Park Authority to retain control over such buildings / structures in the interest of conserving and enhancing the heritage asset and landscape character of the area.

10.2 It is recommended that the application for Listed Building Consent, which includes all the works proposed requiring such consent, is granted, subject to the following conditions:
1. The works for which listed building consent is hereby granted must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading 'Plans Referred to in Consideration of these Applications'.

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

3. Prior to any works commencing on site, unless otherwise agreed in writing by the South Downs National Park Authority, a full schedule of works (including fixtures for any services) concerning the conversion of the existing buildings, the new veranda extension and any repairs, with working drawings, and method statements shall be submitted to and approved in writing by the South Downs National Park Authority. Such drawings and statement must be based upon the terms of this consent and must, therefore, involve the in-situ repair and conversion of the buildings and structures, and not their dismantling and subsequent reconstruction. The working drawings (including joinery drawings at a scale no less than 1:20) must show full details of the works necessary to enable the conversion and construction of the new veranda extension to take place, including the exact amount and method of repair and replacement, insulation works, and installation of extraction equipment. The method statement shall set out the exact method of conversion and the detailed method of support and protection of the buildings before and during conversion and repair works. Once approved the works shall only be carried out in accordance with the approved details.

Reason: To ensure that the works accord with the terms of the consent and in accordance with the objectives of the National Planning Policy Framework.

4. Notwithstanding the details shown on the approved plans, prior to any works commencing on site unless otherwise agreed in writing by the South Downs National Park Authority, details of all materials and new joinery including windows, timber and metal framework, roof lights and doors of the new veranda extension forming part of the development hereby permitted, shall be submitted to and approved in writing by the South Downs National Park Authority. Such details shall include elevations and sections, glazing bars and mullions, showing the relationship to the main house. Only those approved details shall be employed within the development and retained thereafter.

Reason: To ensure that the works accord with the terms of the consent and to safeguard the appearance of the development in the interest of conserving and enhancing the heritage asset.

5. Notwithstanding the details associated with Condition 4, prior to any works commencing on site, unless otherwise agreed in writing by the South Downs National Park Authority, a schedule of the materials, finishes and fixtures (including rainwater goods, lighting and flooring), and samples, to be used on all the external surfaces and internal spaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the works accord with the terms of the consent, to safeguard the appearance of the development in the interest of conserving and enhancing the heritage asset and to ensure a development of visual quality and in accordance with the objectives of the National Planning Policy Framework.
6. Prior to any works commencing on site, unless otherwise agreed in writing by the South Downs National Park Authority, a written programme and method statement for recording all surviving historic fixtures and fittings shall be submitted to and approved in writing by the South Downs National Park Authority. The development shall be carried out in accordance with the approved details and any surviving historic fixtures and fittings shall be retained in situ unless otherwise agreed in writing by the South Downs National Park Authority.

Reason: To ensure that the works accord with the terms of the consent and to safeguard the appearance of the development in the interest of conserving and enhancing the heritage asset.

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 South Downs National Park Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice and seeking amendments during the determination of the applications to ensure that the development brought forward conserves and enhances the natural beauty, wildlife and cultural heritage of the National Park.

TIM SLANEY
Director of Planning
South Downs National Park Authority

Contact Officer: Kelly Porter
Tel: 01730 819314
email: kelly.porter@southdowns.gov.uk

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

SDNPA Consultees
Legal Services & Development Manager

Background Documents
All planning application plans, supporting documents, consultation and third party responses for SDNP/16/06186/FUL
For SDNP/16/06187/LIS
Arun District Local Plan 2003
National Planning Policy Framework 2012
South Downs National Park Partnership Management Plan 2014-2019
This Map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2016) (not to scale).
The applications have been assessed and recommendation is made on the basis of the following plans and documents submitted:

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