



## Supporting Excellence in Heritage Estate Management

**Planning Application PL/2023/09615: A planning application for the permanent use of former tennis courts near Harnham Gate as a car park, the provision of electric vehicle charging points, a cycle store and associated works**

### Introduction

The trustees of the Salisbury Cathedral Close Preservation Society object to the application to give permanent consent for car parking on the former tennis courts to the South of Marsh Close in its current form for the reasons set out below. They would be prepared to support the application subject to conditions.

### Reasons for objection to application in its current form:

- The application fails to recognise the significance of the car park and of Marsh Close within the overall Close ie when considering planning applications, consideration has to be given to the setting. Both the car park and Marsh Close sit within the the setting of a Grade 1-listed building ie The Close. Moreover, The Close sits within a Conservation Area.
- In the case of heritage assets, the new Levelling Up and Regeneration Act 2023 requires that: *(1)In considering whether to grant planning permission or permission in principle for the development of land in England which affects a relevant asset or its setting, **the local planning authority or (as the case may be) the Secretary of State must have special regard to the desirability of preserving or enhancing the asset or its setting.*** The proposed arrangements set out in the application do neither: rather they harm the setting.
- The Design, Heritage and Access Statement is incomplete and fails to give a full picture of the planning history.
- The overall application does not give a full account of the conditions set out in previous temporary consents including the impact on the setting of The Close and, in particular, its Southern section
- While the current car park's condition might just be acceptable if viewed as temporary, a permanent solution needs to be of a much higher quality in terms of sustainability and its designed response to the setting. It should also take account of the increasing impact of climate change. The Society notes that Wiltshire Council's Drainage Engineer has commented "...that, due to the ongoing climate and biodiversity crises, the applicant should seek to incorporate additional blue-green SuDS features, such as tree pits or modular rain gardens, within the car park to help provide interception storage of rainfall events..."

### Consultation

Contrary to the claim in the application, the applicant has not consulted with the Salisbury Cathedral Close Preservation Society. Nor is the Society aware of any consultations with residents of The Close.



## **Design, Heritage and Access Statement**

### **The Site (Paras 2.1-2.9)**

The description of the site fails to establish the important wider context within The Close. In its Grade 1 listing of the Cathedral, Historic England notes:

*The setting of the Cathedral is probably the finest in England. The grouping and splendid character of the houses of The Close, all in sites laid down at the time of the Foundation of the Cathedral, make all the buildings inside The Close wall, including The Close Wall itself a group of the first importance.*

*All the listed buildings in The Close form outstanding group.*

The Case Officer's report on the 2011 application to renew the temporary permission recorded that:

- "The Cathedral Close is a Conservation Area of national importance and the southerly part of The Close, which is adjacent to Close Wall, is close to the water meadows and the river and unlike other parts of The Close has a semi-rural feel. The car park is screened from The Close, so the visual impact of the parked cars is somewhat limited; nevertheless the use of the tennis courts as a car park encourages traffic to enter The Close, which does not enhance the character of this nationally important area. However, it is considered that a further temporary extension of the use of the land as a car park may be acceptable until a strategic decision regarding car parking within The Close can be concluded." and
- Also reported that English Heritage had commented: "In light of Masterplan which seeks to reduce number of vehicles entering and leaving The Close, a lack of specific information regarding justification for renewal of the permission for this car park."

In other words, not only is The Close a heritage asset of national importance, but the southern part, including Marsh Close, has a distinctively semi-rural feel which is particularly vulnerable to the impact of traffic. The temporary consents for the car park were designed to be a time-limited sacrifice until an overall strategic plan was in place which included specific information about how the overall numbers of vehicles entering and leaving The Close can be reduced to limit the damage to "this nationally important area."

Notwithstanding its location, the car park and adjacent areas have been poorly-maintained, with the loss of heritage material, including an iron kissing gate located between the South Canonry and the car park, degradation (and eventual removal) of bollards delineating the boundaries of the car park and deterioration of The Close wall with the loss of tiles from the southern portion bounding the car park.

While the car park is screened from the south and north, it is fully visible to pedestrians, cyclists and others travelling along the road to the north (between the hedge and the car park), from the bottom of the Broad Walk and from the Harnham Gate. Consequently, its appearance, if it is to remain, is of paramount importance.



### Planning History (Paras 2.10 – 3.5)

The Design, Heritage and Access Statement accurately records the dates of the temporary applications and consents. It fails to set out the conditions associated with those consents or the undertakings given by the then Dean & Chapter. It also fails to reflect how officers and elected members saw:

- The temporary consents as a mechanism to reduce traffic flow and
- That management of traffic should be part of an overall strategic plan for The Close which reflected its sensitivity and national importance:

There were four sets of applications prior to the current one:

- S/96/1004: Planning permission (S/96/1014/TP) was granted on 26/9/97 for three years. This was subject to a Section 106 Agreement with regards to traffic measures in The Close. It required the formation of a working party to assess and advise on the traffic management within The Close including arrangements to achieve the prohibition of car parking in certain areas.
- S/2000/1178: The officer's comments on the application for a ten-year extension to the temporary car parking arrangement very much viewed any decision in the light of overall plans for The Close (eg relocation of the Works Yard, development of Magna Carta Centre) and noted "there was still concern about the visual appearance of the car park in this location". While some improvements were noted in traffic management, it was recommended a shorter extension be granted specifically to enable monitoring of progress and a S106 notice be required to this end. An extension of 5 years was agreed to be read in conjunction with the S106 agreement dated 20/6/2001.
- S/2005/0635: Temporary permission was given for a further 3 years. (Not 5 years as stated in the Heritage and Access Statement.) The permission was given specifically "To allow for the preparation of a strategic management plan in the interests of the amenities of the Cathedral Close". This lapsed in 2008.
- S/2011/0802: After a gap, a further application was submitted in 2011. The Case Officer's report is quoted in the commentary on the Site section of the Statement (above). Consent was given for 3 years for the purpose of "reduc(ing the absolute numbers of vehicles entering and parking in The Close". The use was to be discontinued on or before 3 years from the date of the issue of permission "In the interests of the amenities of the Cathedral Close". In the event, while there have been some traffic calming measures, to the Society's knowledge there have been no documented reductions in traffic flow or parking in The Close and the permission lapsed in 2014. Indeed, we understand that some parking spaces in The Close are let to commercial organisations on a long-term basis which appears contrary to the spirit of the various planning consents.

### The Proposal (Paras 3.1-3.5) and Planning Policy (paras 4.1-10)

The present application includes as a supporting document the Chapter's paper "Moving Green: towards more sustainable travel at Salisbury Cathedral and Close". In that paper the applicant says that "The Cathedral is not planning to increase the number of vehicles in The Close, but nor do we realistically envisage a reduction". In other words the idea of an implemented plan to significantly reduce traffic in The Close, which was the justification for temporary use of the tennis court site as a car park, has been abandoned.



The applicant continues “However, there is much that we can do in the short, medium and long term to catalyse the transition of local traffic away from fossil fuels and towards greener modes of transport”. As laudable as the intention to move greener transport maybe, the statement merely diverts attention from the regrettable decision to abandon any plan to further reduce vehicular traffic in The Close. We observe that over a period of more than 26 years Chapter has made no serious attempt to comply with the planning conditions.

The proposal in “Moving Green” to continue to use Marsh Close as an extension car park is completely at odds with the Case Officer’s view that the “semi-rural” nature of the Southern part of The Close should be protected. It is also at odds with the National Planning Policy Framework guidance (para 195 cited in the Statement) that “ Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by a development affecting the setting of a heritage asset)...They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”

If consent were granted for the permanent use of the car park, there would be 70 spaces available, of which some could be designated for use by people with disabilities. Otherwise, there are ample parking facilities within easy walking distance in the City. The use of Marsh Close for parking would quadruple parking provision in this area. There should be a covenant ruling this out. This should not be permitted even on a temporary or occasional basis. Indeed, steps should be taken to maintain its tranquil “semi-rural” aspect.



*Inappropriate Use of Marsh Close for Parking*

The car park on the former tennis courts is sited in an area designated by the Environment Agency as being at risk of flooding. In periods of sustained or heavy rain, large areas of the car park are covered with surface water. This is particularly marked at the entrance to the car park. While it might have been acceptable in 1997 to use an impermeable surface for the car park, the increasing impact of climate change renders this approach unsustainable. Moreover, while the 2011 application envisaged using the main sewer to dispose of water from the car park, the new application envisages using a soakaway. It is unclear how this will function in an area which is subject to flooding.





*Flooding at the Entrance to the Car Park*





*Marsh Close and the View of the Cathedral Marred by Inappropriate Car Parking*

### **Design and Access Statement**

At present, the visual impact of the main part of the car park and of the car parking spaces for residents of 72-74 The Close is very poor indeed. Viewed from the road to the North of the car park or from the Broad Walk Harnham Gate area, the main car park is a vast expanse of tarmacadam



merging into the road at its Northern perimeter. The dedicated parking for 72-74 The Close is now largely earth and the intervening space comprises an area of weeds. (See photograph below.) It is disappointing that applicant has no aspirations to improve this as part of its plan for permanent parking.



*View of the Car Park from the Harnham Gate.*

*This picture was taken at the same time as the one labelled *Inappropriate Use of Marsh Close for Parking*". (The bollards to the right have now been removed because many had already rotted away.)*

There are ample examples of more appropriate approaches consistent with addressing the climate change and biodiversity challenges. The link below shows just one:

<https://www.pinterest.co.uk/pin/green-parking-designs-beautify-city-living-dig-this-design--19492210871369330/>

### **Application**

The application is not accompanied by an application for listed building consent, although the site in question is within the curtilage of the Grade 1 listed Cathedral as well as the Grade I listed Close Wall.

The numbers cited as using the car park indicate that it is more than sufficient for purpose. Indeed, there appears to be scope to reduce the number of car parking spaces in order to introduce planting.

### **Flood Risk Assessment**

The assessment fails to reflect the flooding that occurs in periods of heavy and/or sustained rain, which is becoming increasingly frequent as a result of climate change. It acknowledges that :

“As a car park the site does not incorporate drainage systems as would be the case for a built development. Any flood water would either slowly permeate through the tarmac surface or drain back toward the river as a flood event eased.”



This is at odds with the assertion in the Application (section on Assessment of Flood Risk) that drainage would be via a soakaway. Moreover, it is unrealistic to expect water to soak away through impermeable tarmac. The river lies some distance away, beyond Rack Close, which itself floods. Historically, at times of heavy rain, water levels have risen to floorboard level in at least one of the houses (73 The Close) adjacent to the car park. (This is consistent with the concerns expressed by the Council Drainage Engineer in his comment on the application.)

## **Conclusion**

The proposals are at odds with the spirit of the Eco-Church Gold Award held by the Cathedral.

The Trustees do not accept the argument that the existence of the car park for 26 years is sufficient in itself to achieve agreement to making the planning permission permanent. However, they would be willing to lift their objection to this application subject to the imposition of very specifically drafted conditions:

The Trustees of the Society would like to see conditions covering the following:

- Submission of revised plans for the car park (and associated spaces for residents of 72-74 The Close) which:
  - Improve the appearance of the car park through professional landscape design including the introduction of trees and other planting, replacement of the tarmac and paint markings with a more sympathetic surface.
  - Address flooding issues (and improve the aesthetic appearance of the car park) including through replacement of the car park surface with a permeable surface and planting.
  - Reintroduce a barrier (preferably a green barrier) between the car park and the road (ie between the car park and the Marsh Close southern hedge).
- No further parking on Marsh Close at any time. Organised activities on Marsh Close to be specifically limited to the day-time, with an annual limit on those activities and a complete ban on any activities at odds with its “semi-rural” nature. (This would require a covenant.)
- Development of a plan for the “absolute” reduction of traffic flow in The Close in accordance with previous conditions as a part of an overall plan for The Close’s buildings and landscape.

Salisbury Cathedral Close is one of the largest and most complete Cathedral precincts in the country. Other cathedrals, including Gloucester and York Minster, have embarked (and in some cases completed) imaginative and sustainable plans integrating traffic management with wider strategic planning. The Cathedral and The Close play a significant part in the spiritual, social and economic life of the City and the county. The numbers of local, national and international visitors are testimony to its importance.

The Trustees would be happy to work with Chapter and other interested parties to support excellence in the management and development of The Close.

Terry Byrne

**Chairman, Salisbury Cathedral Close Preservation Society**

