#### DELEGATED REPORT

## Report considered and agreed by Team Manager, Planning Policy & Development Management

…*Sarah Iles*…………….. date ……22 March 2018…

## Report considered and agreed by Principal Planning Officer, Planning Policy & Development Management

…*JAS Patterson*……………………….. date ……22 March 2018………

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| Report by: | **Director of Communities, Economy and Transport** |
| Proposal: | **Realignment of the site entrance at Eatenden Lane, Robertsbridge and associated works.** |
| Site Address: | **British Gypsum Ltd, Robertsbridge Works, Mountfield, Robertsbridge, TN32 5LA** |
| Applicant: | **British Gypsum** |
| Application No. | **RR/803/CM** |
| Key Issues: | 1. **Highway Safety** 2. **Impact on the High Weald Area of Outstanding Natural Beauty** |
| Contact Officer: | **David Vickers, Tel. 01273 481629** |
| Local Member | **Councillor Kathryn Field** |

**RESOLUTION OF THE DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT**

**Under the powers delegated to me by the Governance Committee on 3 July 2012, I resolve to approve the proposal subject to the conditions set out in the recommendation.**

# CONSIDERATION OF RELEVANT PLANNING MATTERS

1. The Site and Surroundings

1.1 British Gypsum is a major supplier of gypsum based products to the UK construction industry and the Robertsbridge works near Mountfield are the main component in the company’s manufacturing operation in southern England.

1.2 The site is approximately 4 km north of Battle and is accessed by a private road west of the A2100. This road is some 2 km long and crosses a public highway at Eatenden Lane which is where the works proposed in the application are to be carried out.

1.3 In the immediate area are houses, a crane depot and extensive woodland. Not far to the north is a railway crossing and immediately to the north of the junction is a public footpath (Mountfield No.9) and a drainage ditch. The whole area is within the High Weald Area of Outstanding Natural Beauty (AONB).

## 2. The Proposal

2.1 The private access road between the Works and the A2100 crosses a public road at Eatenden Lane where the junction is staggered as well as rising to the east. Coupled with the narrowness of Eatenden Lane itself room to manoeuvre, particularly for the larger vehicles visiting the Works, is quite restricted, requiring two opposite turns within the short distance crossing Eatenden Lane.

2.2 In addition, the applicant states that the tight manoeuvring leads to low speeds and as the majority of traffic to the Works are HGVs the road surface is prone to breaking up. Furthermore levels in the vicinity cause water to accumulate on the highway which freezes in cold weather causing a hazard.

2.3 The proposal affects the junction on the west side of Eatenden Lane and would involve works to widen it on the northern side, thereby increasing the junction width from approximately 14 metres to 20 metres. The widened junction will encroach onto the grassed bank and will therefore need retaining. The retaining structure will comprise a blockwork structure 24 metres long and varying height up to 2 metres above ground level. The visible face will be rendered and finished in Olive Green (RAL 6003). It will be topped by a kerb and Armco type galvanised steel barrier similar to the existing arrangements. It is not intended that the widening will affect the numbers of vehicles visiting the site.

2.4 In addition, the access road surface will be widened by up to 1 metre along approximately 110 metres of its southern edge and the whole widened junction itself will be resurfaced for a distance of approximately 40 metres from the junction with Eatenden Lane.

# 3. Site History

3.1 An application, RR/804/CM, to form a storage shed within the site was granted planning permission on 20 March 2018.

## 4. Consultations and Representations

4.1 Rother District Council: The District Council raise no objection to the proposal.

4.2 Mountfield Parish Council: No response received.

4.3 Highway Authority: The Highway Authority has no major concerns with the proposal provided the access is constructed as shown in the drawings and to Highway Authority specification.

4.4 Rights of Way: Based on the plan showing the road widening proposals, the line of the public footpath running alongside the Gypsum Plant access road (Mountfield No.9) is not affected.

4.5 Local Representation: 1 letter received. The local resident has no objection in principle but is concerned that making the junction easier to manoeuvre will enable increased speeds and therefore risk of accidents.

**5.** **The Development Plan and other policies of relevance to this decision are:**

5.1 East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013: Policies WMP26 (Traffic Impacts); WMP27 (Environment and Environmental Enhancement).

5.2 Rother District Local Plan 2006: Saved Policy GD1 (General Development).

5.3 National Planning Policy Framework: The NPPF does not change the status of the Development Plan as the starting point for decision making and constitutes guidance as a material consideration in determining planning applications. Part 11, ‘Conserving and enhancing the natural environment’ is most relevant in this case.

**6. Considerations**

**Highway Safety**

6.1 Policy WMP26 in the Waste and Minerals Local Plan permits proposals for waste and minerals related development where access arrangements are appropriate and do not create unacceptable safety hazards for other road users.

6.2 The proposals do not directly affect the nearby public footpath (Mountfield No.9), nor the drainage ditch in the same vicinity. Any works to the latter will require consent from the Lead Local Flood Authority, which the applicant has been made aware of. An Informative is also recommended to be attached to any consent. There is also highway drainage material which will be cleared as part of the works.

6.3 The Highway Authority has made a number of observations about aspects of the proposal but which are not integral to the planning application. The applicant has been made aware of these and has confirmed agreement to discuss them with the Highway Authority prior to commencement of works. It is recommended an Informative is attached to any permission to remind the applicant of the necessity to do this before starting work.

6.4 Subject to these discussions taking place the Highway Authority has confirmed it has no major concerns with the proposed alterations and therefore Policy WMP26 is complied with.

**Impact on the High Weald Area of Outstanding Natural Beauty**

6.5 Saved Policy GD1 in the Rother Local Plan sets out a wide range of development criteria with which all development must comply including being compatible with the conservation of the natural beauty of the AONB. This is reinforced by Policy WMP27 in the Waste and Minerals Local Plan which resists proposal that would have a significant adverse impact on the area.

6.6 The widening of the junction into a grass verge, albeit a verge comprising amenity grassland with little ecological value, will add to the industrialised appearance of the junction in what is a rural area within an AONB. Any harmful impacts of this will be confined to the immediate locality but will nevertheless require mitigating in order to comply with development plan policies. Only ecological mitigation is included in the proposal and this should be secured by condition. Additional landscape mitigation is also necessary and it is further recommended this be secured by condition.

**7. Conclusion and reasons for approval**

7.1 In accordance with Section 38 of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 The proposal will not cause hazards to other road users and would comply with Policy WMP26 in the Waste and Minerals Local Plan. However its industrialised appearance will harm the beauty of its immediate surroundings and therefore the AONB. With appropriate ecological and landscape mitigation the harm can be at least balanced to the extent that the character of the High Weald Area of Outstanding Natural Beauty would be conserved and Saved Policy GD1 in the Rother Local Plan and Policy WMP27 in the Waste and Minerals Local Plan complied with.

7.3 In determining this planning application, the County Council has worked with the applicant in a positive and proactive manner. The Council has also sought views from consultees and neighbours and has considered responses in preparing the recommendation. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, and as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

7.4 There are no other material considerations and the decision should be taken in accordance with the Development Plan.

**8. Recommendation**

8.1 To grant planning permission subject to the following conditions:-

1. The development hereby permitted shall be commenced 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.

2. The development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans.

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

3. Prior to commencement of development details of construction compounds and working areas showing any affected trees (including species and size of trees to be removed), vegetation, ecological mitigation, compensatory planting and future maintenance shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. Construction works, ecological mitigation and compensatory planting shall be carried out in accordance with the approved details.

Reason: To conserve the character of the surrounding High Weald Area of Outstanding Natural Beauty and to comply with Policy WMP27 in the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

INFORMATIVES

1. Prior to any works being undertaken on watercourses the applicant would need to apply for Ordinary Watercourse Consent (OWC) for the proposed works from the County Council's Land Drainage Team.

2. At least 15 days notice of intention to commence works must be given to the Highway Authority. Please call 01273 335443 or email <development.control.transport@eastsussex.gov.uk>

Schedule of Approved Plans

14219/03 - Extent of Road Widening, 1419/02C - Red Line Plan, 14219/01F - Layout Plan

RUPERT CLUBB

Director of Communities, Economy and Transport

23 March 2018

## BACKGROUND DOCUMENTS

Development Plan

Planning Application File