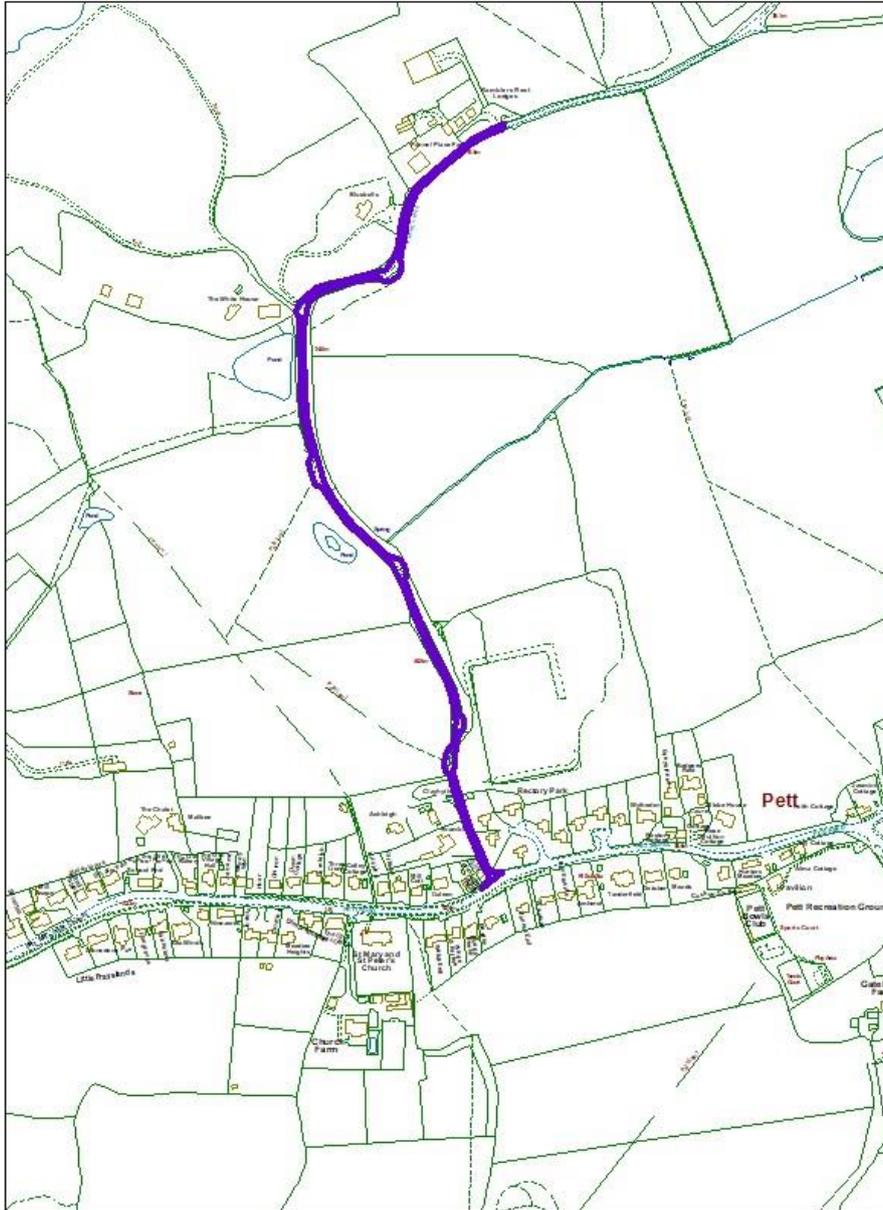


SITE PLAN

PETT

RR/2019/2115/P

Pannel Place, Oak Valley Camping, Pannel Lane.



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Not To Scale

Rother District Council

Report to - Planning Committee
Date - 12 March 2020
Report of the - Executive Director
Subject - Application RR/2019/2115/P
Address - Pannel Place, Oak Valley Camping, Pannel Lane
PETT
Proposal - Proposed alternative siting for Passing Bays 1 and 5 from those previously approved under RR/2017/1714/P.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **GRANT (FULL PLANNING)**

Head of Service: Tim Hickling

Applicant: Mr J. Mason
Agent: Mr A. Rollings
Case Officer: Mrs S. Shepherd
(Email: sarah.shepherd@rother.gov.uk)
Parish: PETT
Ward Member(s): Councillors R.K. Bird and A.S. Mier

Reason for Committee consideration: Member referral: Cllr Mier, local concerns regarding highway safety

Statutory 8 week date: 19 November 2019
Extension of time agreed to: 13 March 2020

This application is included in the Committee site inspection list.

1.0 SUMMARY

- 1.1 This application is submitted in respect of alterations to two passing bays only. The principle of development for the campsite accessed via Pannel Lane with the formalisation of informal passing bays, has already been accepted by the Planning Inspectorate and is not a matter for reconsideration as part of this proposal.
- 1.2 Some Members will recall that an application for the campsite at Panel Place with the provision of seven passing bays in Pannel Lane, was previously considered by the Planning Committee in January 2018, reference RR/2017/1714/P. The Planning Committee at that time made a decision to

overturn the officer recommendation and refused planning permission for the following reason:

The development of the site for tourism use on the scale and for the purposes intended would require, in the interests of highway safety, improvements to Pannel Lane designated as an historic routeway within the High Weald Area of Outstanding Natural Beauty (AONB). Such necessary improvements, involving the creation of seven passing places, would necessitate alterations to widen the metalled lane and significantly cut back vegetation, eroding its visual and historic character. The development would thereby fail to protect the landscape character and scenic beauty of the High Weald AONB, contrary to Policies OSS4 (iii) and EN1(i) of the Rother Local Plan Core Strategy and paragraph 115 of the National Planning Policy Framework.

- 1.3 Planning permission was subsequently granted on appeal subject to conditions. The Inspector concluding in respect of the creation of the passing bays, at paragraphs 12-14, that:

“No bushes or trees in their entirety would be removed in order to accommodate the proposed passing places, although some low vegetation would be removed in Passing Places 2 and 3. These works would be akin to those required for the safe use of a rural lane for vehicular and pedestrian traffic. The level of vegetation surrounding the area generally is quite formidable, and the extent of the works required to accommodate the passing lanes would be minimal in comparison.

Following on from the initial works the only future works would be related to ongoing maintenance to maintain highway safety. The works required would be limited and would sit comfortably within the wider experience of the lane. The development would be restricted in size and would not, even when considered cumulatively, have an urbanising impact on Pannel Lane. On the basis that the areas identified for hardstanding would be very limited, and would need to be maintained, I consider that bitmac would be a suitable material for the passing bays.

The passing bays are imperative to ensure highway safety but in order to provide these improvements some very slight erosion of the lane in a limited number of places would occur. These alterations would not themselves erode the character of the lane, nor would they detract from the historical use of the land as an ancient routeway. In addition they would encourage the correct passing of vehicles in order to avoid incremental harm that may pose a threat to the character of the lane in the future. Passing places are a common and necessary element of the countryside landscape and are themselves an established feature.”

- 1.4 Condition 1 of the permission relates to the approved plans which set out the location of the seven passing bays. Condition 3 requires provision of the passing bays prior to commencement of the use of the campsite as approved. In trying to complete provision of the passing bays a query subsequently arose regarding the extent of the highway with regard to Passing Bays 1 and 5. Following discussions with the Highway Authority the applicant has now submitted this planning application to relocate Bays 1 and 5 to the opposite side of the lane where it is confirmed that the land is within the highway.

- 1.5 The relocation of the two passing bays as previously, is considered to have minor impacts on the lane and the Highway Authority has no objections.
 - 1.6 While local objections have been received, no other formal consultees have objections to the proposals.
-

2.0 SITE

- 2.1 Pannel Place Farm is located within the countryside of the High Weald AONB outside any defined development boundary. Although a former farm, no agricultural activity has taken place for some years. The application boundary for this application relates to the access road only which is via Pannel Lane and is restricted to the two sections of road comprising proposed Passing Bays 1 and 5. The original permission includes a campsite at the former farm with '7' passing bays at various points along the lane.
 - 2.2 Pannel Lane is not overly wide, having areas of single width lane. It is very windy with no footway and several informal passing areas. There are areas of embankments, grass verge, good hedges and areas of trees to its length.
-

3.0 PROPOSAL

- 3.1 Passing Bay 1 as approved is located towards the southern end of the lane on its western side adjacent the northern side of the entrance to Ashleigh. It is now proposed to move Passing Bay 1 to the east side of the lane slightly further to the south. The proposed site is already a muddy informal passing area adjacent an embankment and to the south side of steps that lead up to a utility's enclosure (Southern Water). The area is overhung by trees. Minimal excavation is required to enable new surfacing to be laid.
 - 3.2 Passing Bay 5 as approved is on the western side of the lane in the verge area adjacent the entrances to The White House and Bluebells, as currently used by passing vehicles. It is now proposed to be relocated to the eastern side of the lane, opposite and south of the entrance to The White House. It would involve the excavation of a slightly raised section of grass verge to increase the road width by 1m at this point.
 - 3.3 The application for relocation has arisen because of concerns that the land previously proposed for Passing Bays 1 and 5 is in dispute regarding its classification as being within the highway boundary. This dispute is a private matter between neighbours and the Highway Authority.
 - 3.4 Following queries raised in respect of ecology and discussion with the County Ecologist, an ecological report was requested in relation to this application. An ecology statement has been submitted.
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4.0 HISTORY

- 4.1 RR/2017/159/P Development of a campsite for a maximum of 20 tents plus one glamping tent with platform, from 1 March - 31 October each year. Conversion of stable building to wash

block and replacement of sand school with a children's play area. (Retrospective).

This application was refused permission solely on highway grounds and subsequently allowed on appeal by the Planning Inspectorate.

5.0 POLICIES

5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:

- OSS4: General development considerations
- RA2: General strategy for the countryside
- RA3: Development in the countryside
- CO6: Community Safety
- EC6: Tourism activities and facilities
- EN1: Landscape stewardship
- EN5: Biodiversity and green space
- TR3: Access and new development

5.2 The following policies of the [Development and Site Allocations Local Plan](#), are relevant to the proposal:

- DEC2: Holiday sites
- DEN1: Maintaining landscape character
- DEN2: The High Weald AONB
- DEN4: Biodiversity and green space

5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations, with particular reference to section 9 'promoting sustainable transport' and section 15, 'conserving and enhancing the natural environment'.

5.4 The High Weald Management Plan 2019-2024 is also a material consideration and includes a section on 'routeways'.

6.0 CONSULTATIONS

6.1 [Highways Authority](#) – **NO OBJECTION**

6.1.1 Notes that:

"The provision of the passing bays has been prevented from progressing due to the dispute over the extent of highway land at Passing Bays 1 and 5. As a result a site meeting was held with the transport consultant where alternative positions for Passing Bays 1 and 5 were agreed.

The revised position for Passing Bay 1 is located on the opposite side of the road where an informal passing place already exists. Having liaised with the ESCC Highway Land Information team I am satisfied that the passing bay can be constructed within the highway boundary. I am also satisfied the passing bay will provide a width in excess of the 4.1m that Manual for Streets states is

the minimum width required for two cars to pass. With good inter-visibility available up to the junction with Pett Road to the south, passing bay 1 is considered a suitable location for vehicles to wait whilst approaching traffic passes. The inter-visibility between Passing Bays 1 and 2 is restricted by the alignment of the road; however, due to the close proximity of the passing bays vehicles meeting head on will only be required to reverse a short distance to enable traffic to pass.

At the site meeting an alternative position for Passing Bay 5 was agreed further south than the proposed position and on the opposite side of the road. At this location approximately 1m width of carriageway is required to facilitate a passing bay and the ESCC HLIT have again confirmed that this can be provided within the highway boundary. I am also satisfied that a width in excess of the minimum required for two vehicles to pass can again be provided. The inter-visibility between Passing Bay 5 and Passing Bays 4 and 6 is restricted by alignment of the road; however, the forward visibility beyond the passing bay is good and therefore vehicles will be able to see traffic approaching and only be required to reverse a short distance back to the passing bay to enable it to pass.

Conclusion

I remain satisfied that the proposed passing bays would significantly improve the through route for visitors to the campsite and other road users. The passing bays would also provide some refuge from approaching vehicles for pedestrians and horse riders which is not currently available to them. With this in mind I do not wish to object to the proposal; however, I would recommend that any grant of consent is subject to the completion of the agreed off-site works to provide seven passing bays on Pannell Lane under a s278 Legal Agreement.”

6.2 High Weald AONB Unit – NO OBJECTION

6.2.1 The Unit objected to the original application, partly due to concerns about impact of the passing bays on the historic routeway and its ecological function. However, the 7 passing bays were approved by the Planning Inspectorate, so the Unit advises that the current application to relocate two of the bays needs to be considered in this context.

6.2.2 The Unit states:

“The proposed locations of Passing Bays 1 and 5 have been assessed on site. Passing Bay 1 appears to be already used by passing vehicles, as evidenced by the muddy edge to the road at the bottom of the bank. Regularising this by replacing the mud with tarmac could be a visual improvement provided that the obtrusive kerbing is not required to prevent further erosion of the bank.

The proposed new location of Passing Bay 5 requires the surfacing of a 4.5m length of grass verge approximately 1m wide. Whilst this will result in a regrettable loss of ecological function of the routeway, the impact is not considered to be significant.”

6.3 County Archaeologist – NO OBJECTION

- 6.3.1 Based on the information supplied significant below ground archaeological remains are unlikely to be affected by the proposals. As such there are no further recommendations to make.
- 6.4 County Ecologist – NO OBJECTION
- 6.4.1 Has reviewed both the ecological statement submitted by the applicant and the comments received from objectors. Their comments are as follows:
- 6.4.2 *In providing these comments, I have taken account of BS42020: 2013 Biodiversity – code of practice for planning and development. Section 5.5 of BS42020 relates to proportionality and states “The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over a decision are also proportionate.”*
- 6.4.3 *From the information available, the creation of Passing Bay 1 will not require the removal of any vegetation. As such, the following comments relate to proposed Passing Bay 5.*
- 6.4.4 *There are three ponds within 250m of the proposed passing bay; one c. 30m to the south west, one c. 185m south, and 1 c. 250m to the south west. These three ponds are surrounded by suitable terrestrial habitat for great crested newts. From an assessment of maps and aerial photographs, the nearest pond to the west is c. 469m away. In addition to the ponds identified above, there are two ponds within 500m, both to the west/south west, and another four just beyond 500m to the west (but within 500m of the nearest pond to the site). I therefore concur with the view that newts are unlikely to be crossing the site of the proposed parking bay as there are no suitable ponds within terrestrial range to the north, north east or north west, but several ponds to the west.*
- 6.4.5 *The photograph provided with the Icenis statement shows the verge to be rutted and as such assesses the habitat as being suboptimal. It is noted from Mr Jennings-Bramly’s representation and from other information provided with the application, that this has not always been the case. However, it does remain the case that the area of terrestrial habitat that would be lost would be small (c. 6m long and 1m wide), and also that there would be no loss of aquatic habitat and no fragmentation of habitats or barriers to movement.*
- 6.4.6 *In light of the above, I agree with the assessment that the likely effect of the proposed passing bay on great crested newts is low to negligible, and that any potential impacts can be further reduced by the implementation of reasonable avoidance measures (RAMs). As such, it is my opinion that it would be disproportionate to the predicted degree of risk to biodiversity to request additional surveys.*
- 6.4.7 *The RAMs set out in the Icenis statement are appropriate and in-line with best practice guidance. I therefore recommend that the proposed development can*

be supported from an ecological perspective, provided the RAMs are implemented. A condition should be applied requiring that works are carried out in accordance with the RAMs set out in the Icen letter.

6.5 Planning Notice

6.5.1 A petition of objection signed by 46 people from varying locations. The concerns raised are summarised as follows:

- Oppose increase in traffic.
- Would represent a loss of community amenity for cyclists, walkers and horse riders.
- Would not conserve flora, fauna, geological or physiographical features.
- Is contrary to Policies TR3, RA1 and RA2 and GD1 (For info. GD1 is no longer extant having been superseded back in 2014 by policies in the Core Strategy).

6.5.2 33 letters of objection have been received (with 18 from one property and five from another, the Ramblers and the Campaign to Protect Rural England). The comments are summarised as follows:

- Lane already difficult and this will make it worse for traffic.
- Will spoil a beautiful, peaceful lane.
- Hardening up the area of land at Passing Bay 1, which is already used as an informal passing place, will not increase the useable area of the carriageway.
- Lack of inter-visibility between Passing Bays 1 and 2.
- Passing Bay 1 is used by Southern Water vans to park.
- A culvert is located under the road in the vicinity of Passing Bay 5 which will require strengthening, as it has collapsed in the past.
- Verge at Passing Bay 5 is of ecological value being used by amphibians, with many great crested newts in the area, mushrooms and orchids.
- Ponds are located within 500m of the site and an ecological survey should be undertaken.
- Loss of verge close to trees could impact tree roots.
- Lack of inter-visibility with Bay 6.
- Proposals do not offer sufficient improvements for highway safety.
- Will damage an ancient routeway.
- Passing bays/road should be 5.5m wide.
- Highway refusal should be applied.
- Lane is dangerous for cyclists and more traffic will compound this.
- Passing bays will get used for parking and dumping rubbish so will not help.
- Improvements only relate to the stretch of lane between Pett and the campsite and no provisions for traffic going to and from Winchelsea via Pett Lane.
- Passing Bay 1 is already an informal one and Passing Bay 5 is a flat verge used as a refuge by pedestrians, so these offer no additional refuge provision for pedestrians and horse riders.
- Should not be a new application but remain as a variation of the approved scheme.
- Passing Bay 1 is not all under the control of the Highway Authority.

- Ecology statement is insufficient and a full survey of wider impacts should be undertaken.

6.6 Pett Parish Council – **OBJECTION**

- 6.6.1 The Parish Council are concerned that the proposal should be a variation of condition application as originally submitted and not a new application, as they consider the proposals were granted by the Inspector only on the basis of the conditions that he imposed.
- 6.6.2 The Parish further comment that the application ignores the adjacent woods and ponds/ditches and no ecology report is produced. They consider that Passing Bay 5 had no visibility round the bend and is located next to a steep bank that slopes down to a ditch. The layby replacing Passing Place 1 is grass covered demonstrating that the position is not used because it gave drivers no benefit.

7.0 **LOCAL FINANCE CONSIDERATIONS**

- 7.1 None applicable.

8.0 **APPRAISAL**

- 8.1 It is noted that some comments have been made with reference to the acceptability and impacts of the campsite itself but that does not form part of this application and it's not a matter for reconsideration. The campsite with the provision of seven passing bays along Pannel Lane was allowed by the Planning Inspectorate in 2018. The Inspector noted that "*it would be necessary in the interests of highway safety to improve passing possibilities along Pannel Lane*". (paragraph 9 of the decision letter, copy attached at Appendix A). This application relates only to the relocation of two of the approved passing bays. The primary considerations again remain in respect of highway safety; loss of vegetation; impacts on the landscape character and scenic beauty of the AONB and its features.
- 8.2 Highway safety relates to use of the highway by both vehicular and pedestrian traffic, including walkers, cyclists and horse riders. The safety of all has been the primary consideration of the Highway Authority in terms of development along Pannel Lane and was a primary consideration of the Planning Inspector in determining to allow the appeal. The Inspector concluded at paragraph 14 that "*The passing bays are imperative to ensure highway safety*" and "*would encourage the correct passing of vehicles*". As previously considered by the Inspector, the level of works required to achieve acceptable compliance with highway standards continues to be minor.
- 8.3 **Passing Bay 1**
- 8.3.1 The proposed position for Passing Bay 1, as acknowledged by objectors and confirmed by the Highway Authority, is currently used as an informal passing bay. The Highway Authority have confirmed that it lies "*within the highway boundary* and that the passing bay would *provide a width in excess of the*

4.1m that Manual for Streets states is the minimum width required for two cars to pass.”

8.3.2 No works are required to alter the adjacent bank and hence there would be no impact to trees or other vegetation. As already used the passing bay would not support any protected species. The change from mud to a tarmac surface like the rest of the land would result in a very minor change to its appearance. It would not result in any wider change to the character or appearance of the lane or its designation as an historic routeway, as acknowledged by the High Weald Unit.

8.3.3 Objection has been made to a lack of ecological assessment of the proposed passing bay. However, it is clearly obvious that the area is already used by vehicular traffic and that it has no ecological value because of that use and its backdrop of the steep treed embankment. It is disproportionate and unreasonable to insist on an ecological survey of Passing Bay 1.

8.4 Passing Bay 5

8.4.1 As referred by objectors, Passing Place 5 is a flat verge, and is also used as a refuge at present by pedestrians, with erosion of its edges by vehicular traffic. The verge is slightly raised above the road level and is grassed with scrub planting (ferns and brambles) to its rear and then trees to the field edge. The Highway Authority state that *“At this location approximately 1m width of carriageway is required to facilitate a passing bay and the ESCC HLIT have again confirmed that this can be provided within the highway boundary. I am also satisfied that a width in excess of the minimum required for two vehicles to pass can again be provided. The inter-visibility between Passing Bay 5 and Passing Bays 4 and 6 is restricted by alignment of the road; however, the forward visibility beyond the passing bay is good and therefore vehicles will be able to see traffic approaching and only be required to reverse a short distance back to the passing bay to enable it to pass.”*

8.4.2 The works proposed require the removal of a small amount of the raised grass verge measuring 1m in depth by 6m in length, graded out to either end. As highlighted above and by the ecology statement, this area is already impacted by pedestrian and vehicular traffic. While such impacts are not to the same extent as Passing Bay 1, nonetheless the presence of such impacts reduce the potential of the site to provide suitable habitat for Great Crested Newts, (GCN), which are said by objectors to be in the surrounding area. It is noted that the proposal does not result in the loss of any aquatic habitat, optimal habitat for foraging, shelter or hibernation. There would be no resultant fragmentation of habitats or barriers to movement by GCN. Given the relationship of the site to ponds within 250m of the site, if GCN were to be breeding in these ponds, they would be unlikely to be moving across the site as there are no suitable ponds to the north/north-west/north-east. Furthermore the ponds within 250m are themselves surrounded by good quality terrestrial habitat anyway.

8.4.3 While the proposal is considered to offer negligible-low threat to protected species, the ecology statement still suggests that ‘reasonable avoidance measures’ (RAMs) be put in place, based on Natural England guidance. Such RAM’s if implemented would remove any risks to GCN. This can be conditioned.

- 8.4.4 The County Ecologist highlights the guidance relating to BS42020: 2013 Biodiversity – code of practice for planning and development. That guidance specifically addresses the requirements of proportionality and states that surveys, impact assessments, avoidance, mitigation, compensation and enhancement should be proportionate to the degree of risk and the nature and scale of the proposed development. In this instance the development is very small with minor works required to the roadside edge. The potential degree of risk of impacts is also very minor. As such it is unreasonable and disproportionate to insist on a full ecological survey of the site and surrounding area. As currently assessed, there are also no requirements or necessity for enhancements to be made. The County Ecologist agrees with the conclusions of the submitted ecology statement, made by Icen, and proposes the use of a condition to ensure careful assessment and clearance of the site by a qualified ecologist prior to commencement of works. If any GCN are found then the appropriate licence from Natural England would have to be sought.
- 8.4.5 The High Weald Unit are also of the opinion that any impacts from the loss of this small piece of verge would not be significant.
- 8.4.6 The Planning Inspector concluded that *“Passing places are a common and necessary element of the countryside landscape and are themselves an established feature.”* The widening of the lane at the point of Passing Bay 5 would result in a minor change to the appearance of the lane, with the backdrop of trees and scrub retained as existing. It would not result in any wider change to the character or appearance of the lane or its designation as an historic routeway, as acknowledged by the High Weald Unit.
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9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The National Planning Policy Framework at paragraph 109 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. As already acknowledged by the Planning Inspector, *“The passing bays are imperative to ensure highway safety”*.
- 9.2 The Inspector continues to conclude *“but in order to provide these improvements some very slight erosion of the lane in a limited number of places would occur. These alterations would not themselves erode the character of the lane, nor would they detract from the historical use of the land as an ancient routeway. In addition they would encourage the correct passing of vehicles in order to avoid incremental harm that may pose a threat to the character of the lane in the future. Passing places are a common and necessary element of the countryside landscape and are themselves an established feature.”*
- 9.3 As previously the works required would be limited and would sit comfortably within the wider experience of the lane. The development would be restricted in size and would not, even when considered cumulatively, have an urbanising impact on Pannel Lane.

- 9.4 In terms of potential ecological issues, these need to be considered proportionately. The level of proposed works is minor and the possibility of impacts to protected species, primarily GCN, are considered negligible. To ensure no impacts a condition regarding 'reasonable avoidance measures' (RAMs) is recommended.

RECOMMENDATION: GRANT FULL PLANNING

CONDITIONS:

1. This permission is granted as an alternative to that granted under Application No. RR/2017/1714/P on 15 November 2018 to the intent that either permission, but not both, shall be implemented in respect of Passing Bays 1 and 5 only.
Reason: To minimise the extent of works within Pannel Lane, an historic routeway, and thus maintain the character and appearance of the rural lane located within the High Weald AONB, having regard to Policies OSS4 and EN1 of the Rother Local Plan Core Strategy and Policies DEN1 and DEN2 of the Development and Sites Allocations Local Plan 2019.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Drawing No. as submitted with the application:
Revised red-line diagram from Drawing No.4824-01 Rev.A, Passing Place 5
Revised red-line diagram from Drawing No.4824-01 Rev.A, Passing Place 1
Enlarged extract from Drawing No.3717/09 Rev.A, Passing Place 5
Enlarged extract from Drawing No.3717/09 Rev.A, Passing Place 1
A4-3717/09 Rev.A
A4-3717/01 Rev.B
A4-3717/05 Rev.C
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.
3. Construction of the passing bays are only to be undertaken in accordance with the following reasonable avoidance measures (RAMs), having regard to the potential for protected species in the area:
 - Clearance work should be undertaken during the 'active' season, i.e. from end of February to mid-October.
 - A Suitably Qualified Ecologist (SQE) is to conduct a fingertip search of habitats to be cleared, immediately prior to works starting.
 - The clearance to be supervised by the SQE after the fingertip search has been undertaken.
 - In the unlikely event that a GCN is found, works would cease to assess the next steps which may include gaining an EPS Licence from Natural England, prior to works re-starting on site.Prior to commencement of the works details of the SQE shall be provided to the Local Planning Authority along with a timetable for the RAMs and completion of the works.
Reason: These details are required prior to commencement of works to ensure the protection of protected species in accordance with Policy EN5 of

the Rother Local Plan Core Strategy and DEN5 of the Development and Sites Allocations Local Plan 2019.

4. The proposed passing places shall be surfaced with tarmac and the passing places shall be created in accordance with the approved plans and in agreement with the Highway Authority, prior to commencement of the use of the campsite as specified in the associated approved application RR/2017/1714/P.

Reason: To provide for the free flow of traffic on Pannel Lane in the interests of road safety for both vehicular and pedestrian traffic, having regard to Policies CO6 (ii) and TR3 of the Rother Local Plan Core Strategy.

NOTE:

1. With regard to Condition 4, the applicant is reminded that these works require a Section 278 Agreement of the Highways Act, 1980 - Works within the Highway. The applicant will be required to enter into a Section 278 legal agreement with East Sussex County Council, as Highway Authority, for the off-site highway works. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the Framework (paragraphs 186 and 187) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.