

APPLICATION NUMBER:	LW/17/0623	ITEM NUMBER:	11
APPLICANTS NAME(S):	Headway East Sussex	PARISH / WARD:	Chailey / Chailey & Wivelsfield
PROPOSAL:	Planning Application for Section 73A retrospective application for the retention of concrete access path		
SITE ADDRESS:	Reedens Jackies Lane Newick East Sussex BN8 4QX		
GRID REF:	TQ4021		



1. SITE DESCRIPTION / PROPOSAL

1.1 Reedens is the East Sussex base of Headway, an independent charity, affiliated to the national charity Headway UK. Headway offers rehabilitation and support services for people with acquired brain injuries, their families and carers.

1.2 The site encompasses the main building group, but also includes open fields to the north of the site which encompass wooded areas and a pond. The site also includes TPO trees: a large Oak - TPO (No. 1) 1971, and a group TPO at the pond - TPO (No. 7) 1996. The pond area has recently been improved with new plantings of bulbs, flowers and fruit trees, refurbishment of garden furniture and the clearing of existing pathways as part of charitable community project.

1.3 This planning application seeks retrospective consent for the installation of a 3m wide track running from Jackies Lane in the west, to the pond and woodland area approximately 140m away to the east. The track also includes a hammer-head turning area adjacent to the access from Jackies Lane.

2. RELEVANT POLICIES

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – CP10 – Natural Environment and Landscape

LDLP: – NNPEN1 – Local Landscape Character

3. PLANNING HISTORY

3.1 None relevant.

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Tree & Landscape Officer Comments – The track could be considered to be something similar to other informal agricultural type tracks in the area only differing in that the finished surface may not be considered to be entirely sympathetic to a countryside setting.

4.1.2 The visibility of the track/path can be somewhat dampened, however, by changing the lighter surface to a darker one. I note from various websites that some concrete surfaces such as this can be 'mottled' or 'layered' which would further help soften the visual impact on the surface.

4.1.3 It may also be possible to lightly roughen the surface to reduce the reflective nature of the surface but expert advice should be sought before opting for this course of action. Under no circumstances should concrete overlays such as polymers and suchlike be used unless they can be made to be sufficiently opaque and non-reflective to have the desired benefits.

4.1.4 In the event retrospective permission for the track is considered to be appropriate, it will be important that we have the opportunity to inspect samples, such as stain colours, and any other surface treatments in advance of their purchase and use.

4.2 Chailey Parish Council – Councillors resolved to OBJECT to the application.

4.2.2 Councillors appreciated the reasons why the path (as it was described in the application) has been created. However, they considered that what had been laid down is a roadway and not a path and is out of scale and not in keeping. They considered that the material used is not sympathetic to the rural setting and is inappropriate.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 No comments have been received from neighbours or nearby residents.

6. PLANNING CONSIDERATIONS

6.1 Justification for the track is explained by the applicants thus:

"The path to the pond area needs to have a firm, level surface to enable wheelchair-users to be able to self-propel, whether in a powered chair or a manual chair. The width of the path enables pedestrians (staff and volunteers) to walk alongside the wheelchair-user. A similar flat, even surface is required for ambulant clients with mobility impairments requiring them to use rollators, walking sticks or other mobility equipment. The width of the path also provides access for emergency vehicles should they be required. Many of our clients have epilepsy as a result of their brain injury and in the event of a seizure we occasionally need to call an ambulance.

We informed the contractor of our service-users' requirements and were advised that a concrete path would meet their needs and be within budget. The cost of the path was covered by a grant from the Tesco 'Bags of Help' initiative which is a scheme to support environmental projects. We do not have funds to cover any additional costs so had to construct the path within budget. I acknowledge the point made by the councillors that they consider the material used is not sympathetic to the rural area however, it is already weathering in and blending well with the surroundings.

There is a turning area at the entrance which we use for our minibus. Many of our clients are unable to walk or propel their wheelchairs the distance from our building to the field. Therefore we use our minibus, which is fully wheelchair accessible, to drive them to the entrance where they can disembark and cross the field to enjoy the pond area."

"Now that the pond area is accessible it has been enjoyed over the summer months by many of our clients. It is very conducive to recovery after brain injury as we are able to hold art classes there, encourage healthy walks, implement physiotherapy programmes and generally benefit from the beautiful environment."

"If... any of the councillors would like to come and see the path and pond area, or meet our clients to learn more about their situations they would be most welcome"

6.2 The Parish Council have objected on the grounds that they consider the path to be a roadway, "out of scale and not in keeping". They also consider the material used, "is not sympathetic to the rural setting and is inappropriate." However, as explained in the statement from Headway, the necessity for a path that will also accommodate the occasional, but necessary, passage of an emergency vehicle is vital. The creation of a small hammer-head turning area adjacent to the gate allows for a safe place for a mini-bus to park as Jackie's Lane is too narrow to allow for on-road parking. As explained earlier, the use of motorised transport allows safe passage for mobility impaired users from Reedens to the access track, and then on to the pond.

6.3 The comments of the Trees and Landscape Officer are noted with regards to staining and surface treatment to soften the visual impact. However, the surface will weather naturally over time, and any application of a surface finish may well make the track appear more incongruous, and adversely affect the weathering abilities of the concrete.

6.4 Policy ST3 (Design, Form and Setting of Development) of the Lewes District Local Plan seeks to ensure that development does not result in detriment to the local area. In addition, Core Policy 10 (Natural Environment and Landscape Character) of the Lewes District Joint Core Strategy seeks to conserve the natural environment by, *"Maintaining and where possible enhancing the natural, locally distinctive and heritage landscape qualities and characteristics of the district"*. It is acknowledged that, in its new state, the path did not appear as a particularly harmonious addition to the landscape but, as stated earlier, it will weather with time. In addition, it is only visible from a short length of Jackies Lane and is not visible from the wider public realm, with any longer countryside views being softened and obscured by the many trees and hedgerows that abound in this rural location.

6.5 The installation of the path will allow Headway service users to enjoy the pond and wildlife area, with the psychological benefits and learning opportunities that, no doubt, come with that access. However, this access is only possible with a pathway that is fit for purpose i.e. usable by people with mobility impairment, and with emergency access if needed. The works have been carried out with limited resources, but any landscape impact should be in the short term and are considered to be outweighed by the long-term benefits to the users of Headway. As a result it is considered that, on balance, retrospective planning permission be granted.

7. RECOMMENDATION

7.1 That retrospective planning permission be granted.

INFORMATIVE(S)

1. 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 may 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.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	12 July 2017	1:1250
Photographs	31 July 2017	X 3