

Mill House
Beacon Lane
Northiam
East Sussex
TN31 6PJ

12 March 2018

Mr John McSweeney
Senior Planning Officer
Rother Planning Department
Rother District Council
Town Hall
Bexhill-on-Sea
East Sussex TN39 3JX

Dear Mr McSweeney

**RR/2018/545/P: BP Filling Station. Udimore Road - Land North of Rye TN31 6AA
Construction of petrol filling station, canopy, sales building, ATM, AC/refrigeration units, refuse compound,
parking and associated works**

The Rye Conservation Society wishes to object to the revised application. The single issue to be considered in respect of the revised planning application for a BP Filling Station and Shop is whether the changes made as part of the current application are sufficient to overcome the two reasons given by Rother for their refusal of the first application.

The two reasons for the refusal of the previous application were:

- The proposed petrol filling station would extend the development of Rye into open countryside beyond the clearly established town edge, introducing a discordant addition at the approach to the town, adversely affecting the rural character of the area and the entrance to the High Weald AONB. Given the surrounding topography, the new urban development would appear unduly prominent and have a significant intrusive impact on the wider rural character, being visible across a significant area beyond simply localised views. Moreover, the illumination associated with the function and hours of operation of the premises would exacerbate the adverse landscape impact and would impinge on the intrinsically dark night skies of the rural location including the High Weald AONB. As such the proposal is contrary to the objectives of Policies RA2 (ii), RA3 (v), EN1 (i), (v) and (vii) and OSS4 (iii) of the Rother Local Plan Core Strategy and paragraph 115 of the NPPF.
- The use of the site over a 24 hour period with its associated illumination, in close proximity to neighbouring properties no.174 Udimore Road, Cadborough Oast and properties in Oast House Drive, would have a detrimental impact upon the residential amenities of these properties particularly at times when residents could reasonably expect their amenities to be safeguarded. As such, the proposal would be contrary to the objectives of Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

Other matters considered, such as parking and the effect of additional traffic, which were examined by East Sussex Highways, were found to be of insufficient weight to result in refusal. These factors have not changed in the revised application.

Honorary Secretary: David Bookless, Top Flat, Faraday House, The Mint, Rye TN31 7EW

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www.ryeconservationsociety.org

Registered Charity No 283888

The changes within the latest application relate to the location and design of the sales office/shop, overall layout and to the external lighting. There is no change to the hours of opening which would be 24 hours a day, seven days a week.

- The sales office shop has been located further down the slope towards Rye which will result in the coping of the building being 500mm lower (20in.). The roof edge has also been altered by the addition of a narrow sloping tiled band presumably in an attempt to give it a 'rural' appearance.
- The planting area around the west, north and east boundaries has been increased and a 2m high fence is still provided around these three sides. The site still remains open to the south both in terms of planting and fencing. The provision of this 2m high fence along 50% of the road frontage, with minimal planting and column lights above, will result in a very unfortunate prison-like appearance along this entrance to Rye.
- The height of the underside of the canopy over the pumps, which is where the down-lighters are located, has been reduced by 500mm (20in.) to 4.3m. This is still 2.3m (7½ft) above the height of the surrounding fence.
- The number of lighting standards has been reduced to three and their height reduced to 4m which is still 2m (6½ft) above the surrounding fence. All three are located along the south and east boundary towards the adjoining residential homes. All the other lights are located on the fences or on the building and will be at 2m or lower.

Conclusion

1. The development site is still outside the development boundary, which has been in place in the current configuration since the 2006 Local Plan and is maintained within the emerging RNP.
2. The minor changes to the overall height and location will not diminish the impact of the proposed development on the setting of Rye or the adjoining AONB. In the applicant's Landscape Assessment they selectively quote from the East Sussex Local Landscape Character assessment as below, but omitting the need for a strong landscape framework.

7.22 The landscape which is adjacent to, but outside the AONB is not of similar quality or character to the wider AONB landscape and the character is influenced by the hard edge of urban development. A strong landscape framework would be required to prevent unacceptable impact on the surrounding AONB landscape and open countryside. This would be in the form of wooded tree belts and shaws to strengthen the existing field boundaries and redefine the interface between the built up area and the countryside.

The proposed landscaping surrounding the site would in no way meet these requirements.

3. Because of the elevated site located on this prominent ridge, many of the long views to the site are from below and therefore look up. This means that the three 4m lighting standards and the canopy lighting at 4.3m will be highly visible from the surrounding countryside within the AONB and from Rye. Although the height of a number of the lights has been reduced, and those specified chosen to reduce light leakage, the site is still going to be a lit element within a dark countryside area.
See attached Long Views Sheets 1-3.
See also the comments regarding the visual effect on the AONB landscape contained in our objections to the previous scheme, amended as required to note the recent changes.
4. The hours of opening remain 24 hours a day, seven days a week and the effect on the AONB and the local residents would be the same as for the first application.

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The Society remains very concerned that the question of the potential illuminated signage has not been addressed within the application but would be considered as advertising at a later date should consent be granted. Any illumination of the fascia to the canopy would result in lighting at a higher level than now proposed and the location of the illuminated price pylon is indicated but not shown on the elevations.
See attached typical advertising sheet.

For the reasons stated above, Rye Conservation Society objects to the current application and believes that the minimal changes to the first scheme now proposed are not sufficient to overturn the original reasons for refusal.

Yours sincerely

Julian Lockett
Chairman, Planning Committee
Rye Conservation Society

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Part of letter of objection to previous application which RCS believes still apply.

Comments on Landscape and Visual Assessment

A. Summary from Rother Environment Impact Assessment Screening Opinion

Summary of Project Features and Location Indicating need for EIA:

The site is within close proximity to the High Weald Area of Outstanding Natural Beauty.

Conclusion:

Would the Project be likely to have significant effects on the environment by virtue of factors such as its size, nature or location requiring an EIA?

No: The fact that the project proposes a petrol filling station and associated paraphernalia on agricultural land on the outskirts of Rye where previously built form was not present has been noted. However, in terms of agricultural land classification the site is graded as urban with little potential for a return to agriculture. Moreover, taking in account that the application is supported by a Landscape and Visual Assessment (LVIA) and landscape proposals that seek to address and mitigate any impact, the proposal is not considered to give rise to significant effects requiring an EIA.

B. Visual Impact Assessment. Prepared by Aitchison Rafferty

Visual Effects. RCS comments in red.

7.9 As a result of changes in terrain and instances of tree and hedgerow planting in the mid to long distance, the visual envelope is limited in scope. Most views of the development therefore occur in the short distance/immediate foreground.

This is not correct as is shown by their own photographs in the LVIA

7.10 The proposed development is slightly set back from Udimore Road, which is lined with mature hedgerows limiting the extent to which the scheme is visible on the approach into the town.

All the lighting will be above the hedgerows and proposed fence.

7.11 Historically Udimore Road has represented a form of ribbon development, although a recent urban extension has seen the settlement pattern change with housing formed off a new access junction (mini-roundabout). The field assessment found there was limited scope for views from the newly built development with the overall majority of homes facing away from the application site.

7.12 The nearby Public Rights of Way to the north of the site were assessed and the visibility of the application site was found to be very low, reflecting changes in topography. A series of representative viewpoints are provided within this report to illustrate the low level of visibility, which helps to reinforce the low level of views which are expected from the wider setting of the AONB.

7.13 From the High Weald Landscape Trail the visibility of the application site was also very low, with recent housing development screening the site from view.

This is only correct for that part of the Footpath and the lower end of Valley Park

7.14 The field assessment found that the scheme would barely be discernible from the public footpath which leads to the town's cemetery. The recent housing development is evident in these viewpoints and forms a substantially larger area of development, which was found by the Planning Inspector to be acceptable.

Only because it lay below the level of the existing houses on Udimore Road which is not the case with this site.

7.15 The proposal has taken migratory measures through design to minimise the potential mass of built form. This includes ensuring the overhead forecourt canopy is no longer/wider than is necessary, to provide a reasonable amount of shelter for vehicular users, and provision of retaining walls and banking to make sure the scheme remains screened as far as is possible. The soffit of the canopy is 5.2m (Now reduced to 4.7m) which is well above the hedgerows, future fence and banking which only are 1.8m. (now 2m).



View from Leasom Hill. Approximate location of site shown

**BP Filling Station:
Long Distance views of site. LV1**



View from Winchelsea Road. Approximate location of site shown

**BP Filling Station:
Long Distance views of site. LV2**



View from Watchbell St. Rye. Approximate location of site shown

**BP Filling Station:
Long Distance views of site. LV3**



External signage and branding BP The Ridge, Hastings



BP Filling Station Night time illumination

**BP Filling Station
Udimore Road, Rye**

Typical illustrations of corporate branding and illumination