

PLANNING COMMITTEE

19 April 2018

Minutes of the Planning Committee meeting held at the Town Hall, Bexhill-on-Sea on Thursday 19 April 2018 at 9:30am.

Committee Members present: B. Kentfield (Chairman), G.C. Curtis (Vice-Chairman), A.K. Azad, Mrs M.L. Barnes (Chairman of Council), P.R. Douart, Mrs D.C. Earl-Williams, R.V. Elliston, A.E. Ganly, J.M. Johnson, Mrs S.M. Prochak, G.F. Stevens and M.R. Watson.

Other Member Present: Councillor Lord Ampthill (in part).

Advisory Officers in attendance: Development Manager, DM & Strategy Principal Planning Officer, Senior Planning Officer and Democratic Services Officers x 2.

Also Present: 27 members of public.

PL17/61. **MINUTES**

The Chairman was authorised to sign the minutes of the meeting held on 15 March 2018 as a correct record of the proceedings.

PL17/62. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors T.W. Graham, Mrs B.A. Hollingsworth and Mrs J.M. Hughes.

PART II - DECISIONS TAKEN UNDER DELEGATED POWERS

PL17/63. **PLANNING APPLICATIONS**
(6)

Outline planning permissions are granted subject to approval by the Council of reserved matters before any development is commenced, which are layout, scale, appearance, access and landscaping. Unless otherwise stated, every planning permission or outline planning permission is granted subject to the development beginning within three years from the date of the permission. In regard to outline permissions, reserved matters application for approval must be made within three years from the date of the grant of outline permission; and the development to which the permission relates must begin no later than whichever is the later of the following dates: the expiration of three years from the date of the grant of outline permission or, the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matters to be approved.

In certain circumstances the Planning Committee will indicate that it is only prepared to grant or refuse planning permission if, or unless, certain amendments to a proposal are undertaken or subject to completion of outstanding consultations. In these circumstances the Head of Service Strategy and Planning can be given delegated authority to issue the decision of the Planning Committee once the requirements of the Committee have been satisfactorily complied with. A delegated decision does not mean that planning permission or refusal will automatically be issued. If there are consultation objections, difficulties, or negotiations are not satisfactorily concluded, then the application will have to be reported back to the Planning Committee or reported via the internal-only electronic Notified 'D' system by means of providing further information for elected Members. This delegation also allows the Head of Service Strategy and Planning to negotiate and amend applications, conditions, reasons for refusal and notes commensurate with the instructions of the Committee. Any applications which are considered prior to the expiry of the consultation reply period are automatically delegated for a decision.

RESOLVED: That the Planning Applications be determined as shown in Appendix A, attached.

PL17/64.
(7.1)

APPEALS

Members noted the report on Appeals that had been started, allowed or dismissed since the Committee's last meeting, together with the list of forthcoming Hearings and Inquiries.

The Development Manager advised that the informal hearings for Appeals RR/2016/2722/P and RR/2017/1146/P Battle/Mountfield would be held on 5 and 6 June 2018.

RESOLVED: That the report be noted.

PL17/65.

DATE FOR SITE INSPECTIONS – Tuesday 29 May 2018 at 8:30am departing from the Town Hall, Bexhill.

CHAIRMAN

The meeting closed at 11:25am

pl180419jh

RR/2017/2097/P

**RYE FOREIGN Rye and Winchelsea District
Memorial Hospital, Peasmarsh Road**

New nursing care home with specialist care.

Statutory 13 week date: 5 February 2018

Extension of time agreed to: 24 April 2018

DECISION: GRANT (PLANNING PERMISSION)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved drawings:

Drawing No. 5042-TFP-ZZ-00-DR-A-2000 Revision P7 (Lower Ground Level Plan) dated 02-03-2018

Drawing No. 5042-TFP-ZZ-00-DR-A-2001 Revision P6 (Ground Level Plan) dated 02-03-2018

Drawing No. 5042-TFP-ZZ-01-DR-A-2002 Revision P5 (First Level Plan) dated 02-03-2018

Drawing No. 5042-TFP-ZZ-SP-DR-A-2003 Revision P8 (Site Plan) dated 27-02-2018

Drawing No. 5042-TFP-ZZ-SP-DR-A-2007 Revision P5 (Block Plan) dated 27-02-2018

Drawing No. Drawing no. 5042-TFP-ZZ-XX-DR-A-2011 Revision P5 (Site Sections CC, DD & EE) dated 02-03-2018

Drawing No. 5042-TFP-ZZ-XX-DR-A-2012 Revision P7 (Elevations S.E. & N.E.) dated 02-03-2018

Drawing No. 5042-TFP-ZZ-XX-DR-A-2013 Revision P7 (N W & S W Elevations) dated 02-03-2018

Drawing No. 5042-TFP-ZZ-SP-DR-A-2018 Revision P1 (Location Plan) dated 04-12-2017

Drawing No. 5042-TFP-ZZ-SP-DR-A-2029 Revision P4 (Car Parking Layout) dated 08-12-2017

Drawing No. 5042-TFP-ZZ-XX-DR-A-2032A Revision P2 (East Site Boundary Section) dated 02-03-2018

Drawing No. 691_PL_001 Revision E (Landscape Concept – Upper Ground Floor) dated 14/09/2017

Drawing No. 691_PL_002 Revision D (Landscape Concept – Lower Ground Floor) dated 14/09/2017

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. No development shall take place, including any ground works or works of demolition, until a wildlife mitigation strategy has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details of the mitigation strategy.
Reason: These details are required prior to commencement of works to ensure the protection of wildlife in accordance with Policy EN5 (viii and ix) of the Rother Local Plan Core Strategy.
4. No development shall take place, including any ground works or works of demolition until indications of all existing trees and hedgerows on and adjacent to the site including details of those to be retained, together with measures for their protection in the course of development, have been submitted to and approved by the Local Planning Authority and such approved protection measures shall be retained in situ for the duration of construction works.
Reason: This pre-commencement condition is required to ensure the protection of existing landscape features, residential amenities of the locality and the ecological value of the site, in accordance with Policies OSS3 (vi), OSS4 (ii and iii), RA2 (viii), RA3 (v), EN1 (i) and EN5 (viii and ix) of the Rother Local Plan Core Strategy.
5. Before the development hereby permitted is commenced a Waste Management Plan to include details of the measures to minimise and manage waste generated by the development shall be submitted for the consideration and approval of the Local Planning Authority. The development shall only be carried out in accordance with the approved details of the Plan.
Reason: A pre-commencement condition is required because the plan is required at all stages of construction in the interests of seeking a sustainable development which minimises waste, in accordance with the Supplementary planning Guidance on "Construction and Demolition Waste" 2006 by East Sussex County Council and having regard to amenity issues, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.
6. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval and all works shall be completed in accordance with the approved details.
 - a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall include the history of the site's uses and a walk-over survey. It shall, if necessary, propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.
 - b) The site investigation, including relevant soil, soil gas, surface and ground water sampling, in accordance with a quality assured sampling and analysis methodology.
 - c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation

commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment (including any controlled waters).

- d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination should be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for approval.
- e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: This pre-commencement condition is required because the historic use of the site and nearby sites may have left the land contaminated and in order to avoid risks to health or the environment investigation and mitigation may be required, in accordance with paragraphs 120-121 of the National Planning Policy Framework and Policy OSS3 (viii) of the Rother Local Plan Core Strategy.

- 7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority), shall be carried out until a method statement detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority and the works shall be completed in accordance with the approved method statement.

Reason: The historic use of the site and nearby sites may have left the land contaminated and in order to avoid risks to health or the environment mitigation may be required, in accordance with paragraphs 120-121 of the National Planning Policy Framework and Policy OSS3 (viii) of the Rother Local Plan Core Strategy.

- 8. No development shall commence until a scheme for the provision of foul water drainage works has been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water and the development shall not be occupied until the foul water drainage works to serve the development have been provided in accordance with the approved details.

Reason: These details are integral to the whole development and are therefore required prior to commencement of works to ensure the satisfactory drainage of the site in the interests of flood risk avoidance and to prevent water pollution, in accordance with Policies SRM2 and EN7 of the Rother Local Plan Core Strategy.

- 9. No development shall commence until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the

Local Planning Authority in consultation with Southern Water and the Lead Local Flood Authority. The scheme details shall:

- a) Be designed in accordance with the principles of drawing nos. 1001 Revision F and 1002 Revision B, dated 31-01-2018, as submitted with planning application RR/2017/2097/P.
- b) Provide evidence of (a) in the form of hydraulic calculations – taking into account the connectivity of the different surface water drainage features – to be submitted with the detailed drainage drawings demonstrating that the overall discharge rate from the development site and adjacent hospital development will be no greater than existing.
- c) Confirm ground water levels and infiltration rates at the site following an intrusive ground investigation, with any soakage testing carried out in accordance with the BRE365 methodology.
- d) Include a maintenance and management plan for the entire drainage system that clearly identifies who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and confirmation that the appropriate authority is satisfied with the submitted details.
- e) Include evidence that the responsibility arrangements identified in (d) will remain in place throughout the lifetime of the development.

Thereafter the development shall not be occupied until the surface water drainage works to serve the development have been provided in accordance with the approved details and evidence (including photographs) of such submitted to and approved in writing by the Local Planning Authority.

Reason: These details are integral to the whole development and are therefore required prior to commencement of works to prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of the surface water drainage system in accordance with Policies SRM2 and EN7 of the Rother Local Plan Core Strategy and paragraphs 100 and 103 of the National Planning Policy Framework with accompanying ministerial statement of December 2014.

10. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
 - a) measures to manage flood risk, both on and off the site, during construction;
 - b) measures to protect existing public sewers during construction;
 - c) the anticipated number, frequency and types of vehicles used during construction;
 - d) the method of access and egress and routeing of vehicles during construction;
 - e) the parking of vehicles by site operatives and visitors;
 - f) the loading and unloading of plant, materials and waste;
 - g) the storage of plant and materials used in construction of the development;
 - h) the erection and maintenance of security hoarding;
 - i) the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - j) details of public engagement both prior to and during construction works.

Reason: These details are required prior to commencement of any works in the interests of flood risk avoidance, to ensure protection of the existing drainage network, to maintain the safety of all road users and to protect the amenities of adjoining residents during construction, in accordance with Policies OSS4 (iii), SRM2, CO6 (ii) and EN7 of the Rother Local Plan Core Strategy.

11. No development shall commence until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within three months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

Reason: A pre-commencement condition is required to ensure that the archaeological and historical interest of the site below ground is safeguarded and recorded to comply with the National Planning Policy Framework and in accordance with Policy EN2 (vi) of the Rother Local Plan Core Strategy.

12. No development shall commence until details of the foundations, piling configurations, drainage and services, to include a detailed design and method statement, has been submitted to and approved in writing by the Local Planning Authority, such details to show, where necessary, the preservation of surviving archaeological remains which are to remain in situ.

Reason: A pre-commencement condition is required to ensure that the archaeological and historical interest of the site below ground to remain in situ is safeguarded to comply with the National Planning Policy Framework and in accordance with Policy EN2 (vi) of the Rother Local Plan Core Strategy.

13. No development above ground level shall take place until samples/details of the materials and finishes to be used in the construction of the external surfaces of the building and hard landscaping hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details only.

Reason: To ensure that the appearance of development is appropriate to the High Weald AONB and countryside landscape, in accordance with Policies OSS3 (vi), OSS4 (iii), RA2 (viii), RA3 (v), EN1 (i) and EN3 of the Rother Local Plan Core Strategy.

14. No development shall commence until the vehicular access serving the development has been constructed in accordance with approved Drawing No. 5042-TFP-ZZ-SP-DR-A-2029 Revision P4 (Car Parking Layout), dated 08-12-2017 and construction details, form HT401/HT407, attached to this permission.

Reason: In the interests of road safety, in accordance with Policies CO6 (ii) and TR3 of the Rother Local Plan Core Strategy.

15. The vehicular access serving the development shall not be used until visibility splays of 2.4m x 70m have been provided in each direction at the junction with Rye Road. The visibility splays shall thereafter be kept permanently free of all obstructions exceeding 600mm in height.

Reason: To ensure that the development and associated works provides for sufficient visibility and does not prejudice the free flow of traffic or conditions of general safety along the highway, in accordance with Policies CO6 (ii) and TR3 of the Rother Local Plan Core Strategy.

16. The development shall not be occupied until the parking and turning areas have been provided in accordance with approved Drawing No. 5042-TFP-ZZ-SP-DR-A-2029 Revision P4 (Car Parking Layout), dated 08-12-2017 and the areas shall thereafter be retained for that use and shall not be used other than for the parking and turning of motor vehicles.

Reason: To provide on-site parking and turning areas to ensure that the development does not prejudice the free flow of traffic or conditions of general safety along the highway, in accordance with Policies CO6 (ii) and TR4 of the Rother Local Plan Core Strategy.

17. No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details. The areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: To provide alternative travel options to the use of the car, in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

18. The development shall not be occupied until the new 1.8m high close boarded timber privacy fence shown on approved Drawing Nos. 5042-TFP-ZZ-SP-DR-A-2003 Revision P8 (Site Plan), dated 27-02-2018 and 5042-TFP-ZZ-XX-DR-A-2032A Revision P2 (East Site Boundary Section), dated 02-03-2018 has been erected and the fence shall thereafter be retained.

Reason: To prevent the development from having any adverse impact upon the amenities of neighbouring properties in Old School Place by way of overlooking, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

19. The development shall not be occupied until a privacy screen has been erected on the south-east side of the terrace shown on approved Drawing No. 5042-TFP-ZZ-00-DR-A-2001 Revision P6 (Ground Level Plan), dated 02-03-2018, in accordance with details first submitted to and approved in writing by the Local Planning Authority. The privacy screen shall thereafter be retained.

Reason: To prevent the development from having any adverse impact upon the amenities of neighbouring properties in Old School Place by way of overlooking, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

20. The flat roof shown on approved Drawing No. 5042-TFP-ZZ-00-DR-A-2001 Revision P6 (Ground Level Plan), dated 02-03-2018, shall not be used as a balcony, roof garden or similar amenity area.

Reason: To prevent the development from having any adverse impact upon the amenities of neighbouring properties in Old School Place by way of overlooking, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

21. No construction work shall be carried out outside the following times: Monday to Friday – 0800 to 1800 hours, Saturdays – 0800 to 1300 hours and no construction work shall take place at any time on Sunday, Bank Holidays and Public Holidays.

Reason: To protect the residential amenities of the locality, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

22. In this condition "retained tree" and "retained hedge" means an existing tree or hedge which is to be retained in accordance with the details approved under condition 4; and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the occupation of the development for its permitted use.
- a) No retained tree or hedge shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
 - b) If any retained tree or hedge is removed, uprooted, destroyed or dies, another tree or hedging plant shall be planted at the same place and that tree or hedging plant shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
 - c) The erection of fencing for the protection of any retained tree or hedge shall be undertaken in accordance with the details approved under condition 4 before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
 - d) No fire shall be lit within 10m from the outside of the crown spread of any tree which is to be retained.
 - e) No equipment, machinery or structure shall be attached to or supported by a retained tree or hedge.
 - f) No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.

No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the Local Planning Authority.

Reason: To protect existing landscape features, residential amenities of the locality and the ecological value of the site, in accordance with Policies OSS3 (vi), OSS4 (ii and iii), RA2 (viii), RA3 (v), EN1 (i) and EN5 (viii and ix) of the Rother Local Plan Core Strategy.

23. All hard and soft landscape works shall be carried out in accordance with the following approved drawings:
Drawing No. 5042-TFP-ZZ-00-DR-A-2000 Revision P7 (Lower Ground Level Plan) dated 02-03-2018;
Drawing No. 5042-TFP-ZZ-00-DR-A-2001 Revision P6 (Ground Level Plan) dated 02-03-2018;
Drawing No. 5042-TFP-ZZ-SP-DR-A-2003 Revision P8 (Site Plan) dated 27-02-2018;
Drawing No. 691_PL_001 Revision E (Landscape Concept – Upper Ground Floor) dated 14/09/2017; and
Drawing No. 691_PL_002 Revision D (Landscape Concept – Lower Ground Floor) dated 14/09/2017.

The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority and all fences shall thereafter be retained. If within a period of five years from the date of the planting any tree or plant is removed, uprooted, destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure a high quality public realm taking account of the characteristics of the area and to safeguard the amenities of neighbouring properties, in accordance with Policies OSS4 (ii) and EN3 of the Rother Local Plan Core Strategy.

24. No external lighting shall be provided on the site unless details of such lighting have first been submitted to and approved in writing by the Local Planning Authority. Any approved lighting shall be carried out in accordance with the approved details only and retained as such thereafter.

Reason: To protect the character and appearance of the High Weald Area of Outstanding Natural Beauty and countryside, residential amenities of the locality and wildlife from light pollution, in accordance with Policies OSS3 (vi), OSS4 (iii), RA2 (viii), RA3 (v), EN1 (i and vii) and EN5 (viii and ix) of the Rother Local Plan Core Strategy.

NOTES:

1. The written scheme of investigation, ensuing works and production of reports required in respect of condition 11 should accord with the relevant portions of the East Sussex County Council document "Sussex Archaeological Standards" (2015), and should be undertaken only by a suitably qualified archaeologist. For assistance and advice in seeking compliance with the requirements of the condition, please contact the County Archaeologist by post at East Sussex County Council, Communities, Economy & Transport, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE, or by e-mail at county.archaeology@eastsussex.gov.uk.
2. With regard to condition 3 the landowner and/or developer is advised that the wildlife mitigation strategy should be based on the details set out in the Recommendation Sections of the ecological surveys prepared by FOA Ecology, submitted with planning application RR/2017/2097/P.
3. With regard to conditions 3 and 24 the landowner and/or developer is advised that any external lighting should have regard to the Bat Conservation Trust's *Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting* and the Institution of Lighting Professionals' *Guidance Notes for the Reduction of Obtrusive Light*.
4. The landowner and/or developer should consider opportunities for ecological enhancement of the site, as detailed in section 7 of the Extended Phase 1 Habitat Survey & Great Crested Newt Survey prepared by FOA Ecology, submitted with planning application RR/2017/2097/P.
5. With regard to condition 4 the landowner and/or developer is advised that measures for the protection of trees and hedgerows should be based on the

details set out in the Recommendations Section of the Arboricultural Survey and Planning Integration Statement prepared by R. Gawthorpe, submitted with planning application RR/2017/2097/P.

6. The landowner and/or developer is advised that a formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
7. Any proposed works on or abutting the existing highway will require a Section 184 Licence with East Sussex County Council, prior to the commencement of works. Details of construction, surface water drainage, gradients and potential traffic management requirements can all be discussed with East Sussex County Council through the section 184 Licence process. Any temporary access would also be subject to the section 184 Licence process prior to any commencement of work.
8. The landowner and/or developer is advised that dropped kerbs and tactile paving should be provided either side of the access road to connect the footways within the site.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

(Councillor Mrs Prochak declared a personal interest in this matter in so far as her husband was Chairman of the local branch of the Campaign to Protect Rural England who made comments on the application and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

[View application/correspondence](#)

RR/2017/2452/P

BEXHILL Moleynes Mead, 11 Ellerslie Lane

Outline: Redevelopment of land with 24 no. unit residential development including new access road, associated parking and external amenity areas.

Statutory 13 week date: 6 February 2018

Extension of time agreed to: 24 April 2018

DECISION: GRANT (OUTLINE PLANNING) DELEGATED (SATISFACTORY COMPLETION OF A SECTION 106 PLANNING OBLIGATION IN RELATION TO THE PROVISION OF AFFORDABLE HOUSING AND THE MANAGEMENT AND

MAINTENANCE OF THE PROPOSED ECOLOGY/WILDLIFE ZONE AND SUDS AT THE SOUTH OF THE SITE)

CONDITIONS:

1. Before any part of the approved development is commenced approval of the details of the access, appearance, landscaping, layout, and scale, within the upper and lower limit for the height, width and length of each building on the site, (hereinafter called "the reserved matters"), shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out only as approved. The lay-out plan (Drawing No. 4515.7A) and site elevations and house type plans/elevations (Drawing Nos. 4515.3, 4515.4 and 4515.5) are illustrative only and the details shown are not hereby approved.
Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
4. The development hereby permitted shall be carried out on the basis of the following approved plan:
Drawing No. 4515.LP Revision A.
The development site area shall be in accordance with, and be no less than, the area outlined in red on the approved plan.
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.
5. No trees shall be felled unless dead or dangerous without the prior written consent of the Local Planning Authority and the plans and particulars submitted in accordance with condition 1 above shall include details of all existing trees to be retained on the site, and in particular shall include:
 - a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5m above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
 - b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of

each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

- c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- d) details of any proposed alterations in existing ground levels; and
- e) details of the specification and position of fencing for the protection of any retained tree from damage before or during the course of development.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no building or structure shall be erected, constructed or stationed on the land identified as 'proposed ecology/wildlife zone' on the block/location plan Drawing No. 4515.7A. For the avoidance of doubt this shall not prohibit a footpath link, below ground surface water attenuation storage and replacement artificial badger sett indicated on the drawing, should these form part of the detailed development proposals for the site.

Reason: In the interests of protecting residential amenity, the existing trees, and providing wildlife mitigation measures in accordance with Policies OSS4 (ii)(iii) and EN5 of the Rother Local Plan Core Strategy.

7. The further survey work described in the submitted 'Preliminary Ecological Appraisal' dated 20 February 2017 and the 'Phase 2 Survey Report: Bats, Great Crested Newts, Reptiles and Badgers' dated 25 September 2017 reports shall be carried out and used to inform an ecological design strategy (EDS) to address the mitigation, compensation, enhancement and restoration required in respect of bats, great crested newts, reptiles and badgers, which prior to the commencement of development shall be submitted for the consideration and approval of the Local Planning Authority. The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate e.g. local species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from the works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: These details are required prior to commencement of works to ensure the protection of reptiles in accordance with Policy EN5 (ix) of the Rother Local Plan Core Strategy and the National Planning Policy Framework.

8. Development shall not commence until a drainage strategy detailing the proposed means of surface water disposal and an implementation timetable, has been submitted to and approved by the Local Planning Authority in

consultation with Southern Water and the Lead Local Flood Authority. The development shall be carried out in accordance with the approved scheme and timetable, so as to be implemented in full prior to the occupation of the dwellings.

Reason: To accord with the requirements of Southern Water and the Lead Local Flood Authority to ensure the satisfactory storage of/disposal of surface water from the site and to accord with Policy SRM2 of the Rother Local Plan Core Strategy. A pre-commencement condition is necessary to ensure that measures where necessary are put in place at the initial groundwork stage and thereafter built into the scheme to ensure satisfactory drainage.

9. Before the construction of any dwelling commences, the access and new estate road[s] shall be completed to base course level, in accordance with a phased programme of works to be submitted for consideration and approval by the Local Planning Authority in consultation with the Highway Authority as part of the reserved matters application required under condition 1 above.

Reason: To provide satisfactory means of access, in the interests of highway safety, and for the benefit and convenience of the public at large, and in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

10. No part of the development shall be occupied until the access, internal road(s), footways and parking areas serving the development have been constructed, surfaced, drained and lit in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development, in the interests of highway safety, and for the benefit and convenience of the public at large, and in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

11. No part of the development shall be occupied until the car parking spaces have been constructed and provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To secure satisfactory standards of car-parking spaces for the development, in the interests of highway safety, and for the benefit and convenience of the public at large, and in accordance with Policy TR4 of the Rother Local Plan Core Strategy.

12. No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies, including Policy TR3 of the Rother Local Plan Core Strategy.

13. No part of the development shall be occupied until the vehicle turning space(s) has been constructed within the site in accordance with details submitted to and approved in writing by the Local Planning Authority. This space shall thereafter be retained at all times for this use and shall not be obstructed.

Reason: In the interests of road safety and in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

14. Construction Management Plan – no development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,
- a) the anticipated number, frequency and types of vehicles used during construction;
 - b) the method of access and egress and routing of vehicles during construction;
 - c) the parking of vehicles by site operatives and visitors;
 - d) the loading and unloading of plant, materials and waste;
 - e) the storage of plant and materials used in construction of the development;
 - f) the erection and maintenance of security hoarding;
 - g) the provision and use of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
 - h) details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area. A pre-commencement condition is necessary to ensure that initial ground works through to the construction phase are satisfactorily managed.

15. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework. A pre-commencement condition is required to ensure that any below ground archaeology is not disturbed by initial ground works.

16. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [15] to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), with respect to any dwelling forming part of the approved layout of the subsequent reserved matters application that is either adjacent to Fryatts Way or the property known as 'Welton' to the north, no additions to the roof of that dwelling house (including dormer windows) as defined within Class B of Part 1 of the Schedule 2 of the Order,

shall be carried out on any roof-slope facing onto either Fryatts Way or the property to the north, otherwise than in accordance with a planning permission granted by the Local Planning Authority.

Reason: To safeguard the amenities of the neighbouring properties in accordance with Policies OSS4 (ii) of the Rother Local Plan Core Strategy

NOTES:

1. The granting of planning permission does not authorise the felling, lopping or topping of trees within the site which are protected by a Tree Preservation Order unless indicated to be removed on any plans which may be approved at the reserved matters stage.
2. The planning permission is subject to a section 106 planning obligation.
3. The Community Infrastructure Levy (CIL) applies to this permission.
4. The application for approval of reserved matters referred to in condition 1 shall include the provision of a footpath linking the development to Ellerslie Lane.
5. The Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid-out and constructed to standards at, or at least close to, adoption standards.
6. The drainage strategy required to be submitted under condition 9 should take into account the following:
 - (i) Surface water runoff from the proposed development should be limited to 5 l/s for all rainfall including those with a 1 in 100 (plus climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.
 - (ii) Discharge of surface water runoff from the application site to a possible ordinary watercourse to the west of Fryatts Way should be thoroughly investigated before discharging into the highway drains. The investigation should include the watercourse's condition and capacity to accommodate surface water run-off from the development, and negotiations with affected third parties. Evidence that the investigation was undertaken should be submitted to the Local Planning Authority and Lead Local Flood Authority. If a discharge to the highway drain is made, evidence that the highway authority has agreed to the connection and discharge rate should be submitted to the Local Planning Authority.
 - (iii) The detailed design of the cellular storage tank should be informed by findings of additional groundwater monitoring in winter. The design should leave at least 1m unsaturated zone between the base of the tank and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system should be provided. Evidence on how impacts of high groundwater on the structural integrity of the tank will be managed should also be provided.
 - (iv) A maintenance and management plan for the entire drainage system should be submitted to the Local Planning Authority before any construction commences on site. This plan should clearly state who will

be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details. Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

- (v) Prior to occupation of the development evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs
7. A formal application for connection to the public sewerage is required in order to service this development and in this regard the developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel: 0330 303 0119) or www.southernwater.co.uk
8. The applicant is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning permission for a development does not provide a defence against prosecution under European and UK wildlife protection legislation. Separate licences and consents may be required to undertake work on the site where protected species are found and these should be sought before development commences.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

[View application/correspondence](#)

RR/2018/273/P

BEXHILL St Andrew's Church, Wickham Avenue

Conversion of redundant church building into 11 flats including external alterations and erection of bin store and bike/external store building.

Statutory 13 week date: 13 April 2018

Extension of time agreed to: 24 April 2018

DECISION: GRANT (PLANNING PERMISSION)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved drawings and document:

Drawing No. 1614-ST-PL-01

Drawing No. 1614-PA-PL-11 revision M

Drawing No. 1614-PA-PL-12 revision K

Drawing No. 1614-PA-PL-13 revision K

Drawing No. 1614-PA-PL-14 revision A

Drawing No. 1614-PA-EL-11 revision M

Drawing No. 1614-PA-EL-12 revision I

Drawing No. 1614-PA-EL-13 revision F

Drawing No. 1614-PA-EL-14 revision H

Drawing No. 1614-PA-SE-11 revision H

Drawing No. 1614-PA-DE-01 revision B

Drawing No. 1614-PA-DE-02 revision A

Drawing No. 1614-PA-DE-03 revision B

Drawing No. 1614-PA-DE-04 revision A

Drawing No. 1614-PA-EL-21-1 revision A

Drawing No. 1614-PA-EL-21-2

Drawing No. 1614-PA-EL-22-1 revision A

Drawing No. 1614-PA-EL-22-2 revision A

Drawing No. 1614-PA-EL-23-1

Preliminary Ecological Appraisal (EA/48216) prepared by The Mayhew Consultancy Ltd, dated October 2016.

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. Before works begin, the following details shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details:

a) Section and elevational details of all new windows, secondary glazing and doors, drawn to a scale of 1:10.

b) Details of the proposed balustrades, drawn to a scale of 1:10.

c) Details of all new rainwater goods and other external pipework, including positions in the building.

d) Details of proposed external flues and vents, including positions on the building.

Reason: To preserve the character and appearance of the historic church building and the character and appearance of the Bexhill Town Centre Conservation Area, in accordance with Policies OSS4 (iii), BX2 (vi) and EN2 (iii) of the Rother Local Plan Core Strategy.

4. At the time of conversion works and prior to the first occupation of the flats hereby permitted, the triple lancet windows in the east and west elevations, as indicated on the approved Drawing Nos. 1614-PA-PL-12 revision K, 1614-PA-PL-13 revision K, 1614-PA-EL-12 revision I and 1614-PA-EL-14 revision H, shall be fitted with internal secondary glazing in accordance with the approved drawings, and shall be glazed with obscure glass of obscurity level equivalent to scale 5 on the Pilkington Glass Scale and shall thereafter be retained in that condition.

Reason: To prevent harmful overlooking of the neighbouring properties, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

5. All materials to be used in the making good of the external surfaces of the building shall match in materials, colour and texture those used in the existing building unless otherwise approved in writing by the Local Planning Authority.

Reason: To preserve the character and appearance of the historic church building and the character and appearance of the Bexhill Town Centre Conservation Area, in accordance with Policies OSS4 (iii), BX2 (vi) and EN2 (iii) of the Rother Local Plan Core Strategy.

6. No flat shall be occupied until the foul and surface water works for the whole site have been completed in accordance with approved Drawing No. 1614-PA-PL-11 revision M.

Reason: To ensure the satisfactory drainage of the site, in accordance with Policies SRM2 and EN7 of the Rother Local Plan Core Strategy.

7. No flat shall be occupied until the hard and soft landscaping for the site has been carried out in accordance with details which have been first submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the character and appearance of the Bexhill Town Centre Conservation Area and to ensure the satisfactory drainage of the site, in accordance with Policies OSS4 (iii), BX2 (vi), EN2 (iii), SRM2 and EN7 of the Rother Local Plan Core Strategy.

8. No flat shall be occupied until boundary treatment has been erected in accordance with details (to include positions, design, height, materials and type of boundary treatment to be erected) which have been first submitted to and approved in writing by the Local Planning Authority, and the boundary treatment shall thereafter be retained in accordance with the approved details.

Reason: To preserve the character and appearance of the Bexhill Town Centre Conservation Area and to safeguard the amenities of neighbouring properties, in accordance with Policies OSS4 (ii & iii), EN2 (iii) and BX2 (vi) of the Rother Local Plan Core Strategy.

9. No flat shall be occupied until the bike store and external store for the parking of cycles has been provided in accordance with the approved drawings and the bike store and external store shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development, in accordance with Policies OSS4 (i) & TR3 (i) of the Rother Local Plan Core Strategy.

10. No flat shall be occupied until the refuse and recycling storage and collection point facilities have been provided in accordance with the approved drawings and thereafter retained, with all bins and containers available for use maintained and replaced as need be.

Reason: In the interests of providing a sustainable development which meets the needs of future occupiers and protects the residential amenities of the locality, in accordance with Policy OSS4 (i and ii) of the Rother Local Plan Core Strategy.

11. The development shall be carried out in accordance with the mitigation measures recommended in Section 8.0 of the approved Preliminary Ecological Appraisal.
Reason: To avoid any adverse impacts on wildlife that may be present on the site, in accordance with Policy EN5 (ix) of the Rother Local Plan Core Strategy.

NOTES:

1. The development is subject to the Community Infrastructure Levy (CIL). Full details will be set out in the CIL Liability Notice which will be issued in conjunction with this decision. All interested parties are referred to <http://www.rother.gov.uk/CIL> for further information and the charging schedule.
2. The landowner and/or developer is advised to investigate the existing surface water drainage system to establish whether any improvements/maintenance needs to be carried out prior to occupation of the flats.
3. The landowner and/or developer is advised that whoever will be responsible for the maintenance of the permeable pavement should be aware of the intended function and carry out the required maintenance without compromising the functionality of the permeable pavement.
4. The landowner and/or developer should take all relevant precautions to minimise the potential for disturbance to adjoining occupiers from noise and dust during the construction period. This should include not working outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays, and no such work should take place on Sundays or Bank Holidays.
5. The landowner and/or developer is advised that in relation to the details required under condition 3, all new rainwater goods and other external pipework should be cast aluminium painted black.
6. The landowner and/or developer is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning permission for a development does not provide a defence against prosecution under European and UK wildlife protection legislation. Separate licences and consents may be required to undertake work on the site where protected species are found and these should be sought before development commences.
7. The landowner and/or developer should consider post development opportunities for increasing biodiversity on the site, as detailed in Section 9.0 of the approved Preliminary Ecological Appraisal (EA/48216) prepared by The Mayhew Consultancy Ltd, dated October 2016.
8. The landowner and/or developer is advised that a formal connection to the public sewage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development with sufficient capacity within the public sewerage network, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. It should be noted that Southern Water is

currently consulting on the New connections charging process as directed by Ofwat. Please refer to Southern Water's website <https://www.southernwater.co.uk/new-connections-charging-consultation> for further details.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

[View application/correspondence](#)

RR/2018/328/P

NORTHAM The Mill, Station Road

Outline: Demolition of the rear store building range, retention of the Mill as a detached dwelling (as approved under RR/2016/843) and construction of two dwellings with use of existing access to Station Road.

Statutory 8 week date: 14 March 2018

Extension of time agreed to: 26 April 2018

DECISION: GRANT (OUTLINE PLANNING)

CONDITIONS:

1. Before any part of the approved development is commenced approval of the details of the appearance, landscaping, layout and scale of the site, (hereinafter called "the reserved matters"), shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out only as approved.
Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the

expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

4. The development hereby permitted, in respect of access only, shall be carried out in accordance with the following approved plans and details:

Drawing No. 011117/03A

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.

5. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- a) the anticipated number, frequency and types of vehicles used during construction;
- b) the method of access and egress and routeing of vehicles during construction;
- c) the parking of vehicles by site operatives and visitors;
- d) the loading and unloading of plant, materials and waste;
- e) the storage of plant and materials used in construction of the development;
- f) the erection and maintenance of security hoarding;
- g) the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- h) methods to control noise and dust;
- i) working hours during construction; and
- j) details of public engagement both prior to and during construction works.

Reason: These details are required prior to commencement of any works to ensure highway safety and to protect the amenities of adjoining residents during construction in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

6. Any application submitted in respect of the layout of the development, as required by condition 1 above, shall include a scheme for the provision of foul and surface water drainage.

Reason: The details required are integral to the whole development to ensure the satisfactory drainage of the site and to prevent water pollution in accordance with Policies OSS4 (iii) and EN7 of the Rother Local Plan Core Strategy.

NOTES:

1. Aside from the access the details submitted with the application have been considered as indicative only. They have not been approved and nor should it be construed that the details are acceptable to the Local Planning Authority. The applicant's attention is drawn to the comments made in the committee report (dated 19 April 2018) regarding the scale and appearance

of the proposed houses and any subsequent 'reserved matters' application should take into account those comments.

2. The development is a type of development where Community Infrastructure Levy (CIL) would be chargeable. Any reserved matters application will need to be accompanied by a 'Determining whether a Development may be CIL Liable Planning Application Additional Information Requirement form'.

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.

[View application/correspondence](#)

RR/2018/488/P

BEXHILL Rafati Way – Land off, Bexhill

Proposed erection of 2 no. detached bungalows.

Statutory 8 week date: 30 March 2018

Extension of time agreed to: 24 April 2018

DECISION: GRANT (PLANNING PERMISSION)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved drawings and document:
Drawing No. 5684/LBP/A (LOCATION BLOCK PLAN) dated JAN 18
Drawing No. 5684/1/D (PROPOSED DWELLINGS – SITE PLAN) dated JAN 18
Drawing No. 5684/2/D (PROPOSED DWELLINGS – LAYOUTS) dated MAR 18
Preliminary Ecological Appraisal (EA/54917) prepared by The Mayhew Consultancy Ltd, dated January 2018.
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. No development shall take place, including any ground works or works of demolition until indications of all existing trees and hedgerows on and adjacent to the site including details of those to be retained, together with measures for their protection in the course of development, have been submitted to and approved by the Local Planning Authority and such approved protection measures shall be retained in situ for the duration of construction works.
Reason: This pre-commencement condition is required to ensure that the development takes proper account of existing trees and hedgerows to be safeguarded to enhance the appearance of the development in accordance with Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy.
4. No development shall commence until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority and none of the dwellings shall be occupied until the drainage works to serve the development have been provided in accordance with the approved details.
Reason: These details are required prior to commencement of works to ensure satisfactory surface water drainage of the site, in accordance with Policy EN7 of the Rother Local Plan Core Strategy.
5. No development shall commence until details of wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full before the commencement of development and the facilities shall be maintained in working order during the construction period and shall be used by any vehicle carrying mud, dust or other debris on its wheels before leaving the site.
Reason: These details are required prior to commencement of works to ensure highway safety during construction and so as not to unreasonably harm the amenities of adjoining properties, in accordance with Policies OSS4 (ii) and CO6 (ii) of the Rother Local Plan Core Strategy.
6. No development above ground level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, height, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the dwellings are occupied and shall thereafter be retained.
Reason: To ensure a high quality public realm taking account of the characteristics of the area and to safeguard the amenities of neighbouring properties, in accordance with Policies OSS4 (ii and iii) and EN3 of the Rother Local Plan Core Strategy.
7. No development above ground level shall commence until details for the landscaping of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
 - a) A planting plan with schedule of plants/trees, noting species, plant sizes and positions; and
 - b) An implementation programme.Reason: To ensure a high quality public realm taking account of the characteristics of the area, in accordance with Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy.

8. All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority and if within a period of five years from the date of the planting any tree or plant is removed, uprooted, destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure a high quality public realm taking account of the characteristics of the area, in accordance with Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy.

9. In this condition "retained tree" and "retained hedge" means an existing tree or hedge which is to be retained in accordance with the details approved under condition 3; and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the occupation of the development for its permitted use.

- a) No retained tree or hedge shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
- b) If any retained tree or hedge is removed, uprooted, destroyed or dies, another tree or hedging plant shall be planted at the same place and that tree or hedging plant shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- c) The erection of fencing for the protection of any retained tree or hedge shall be undertaken in accordance with the details approved under condition 3 before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
- d) No fire shall be lit within 10m from the outside of the crown spread of any tree which is to be retained.
- e) No equipment, machinery or structure shall be attached to or supported by a retained tree or hedge.
- f) No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.

No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the Local Planning Authority.

Reason: To ensure that the development takes proper account of existing trees and hedgerows to be safeguarded to enhance the appearance of the development in accordance with Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy.

10. The development shall be carried out in accordance with the mitigation measures recommended in section 8 of the approved Preliminary Ecological Appraisal (EA/54917) prepared by The Mayhew Consultancy Ltd, dated January 2018.
Reason: To avoid any adverse impacts on wildlife that may be present on the site, in accordance with Policy EN5 (ix) of the Rother Local Plan Core Strategy.
11. The new access shall be provided in the position shown on approved Drawing No. 5684/1/D (PROPOSED DWELLINGS – SITE PLAN), dated JAN 18, and all works undertaken shall be executed and completed to the written satisfaction of the Local Planning Authority in consultation with the Local Highway Authority prior to occupation of the dwellings hereby permitted.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, in accordance with Policies CO6 (ii) and TR3 of the Rother Local Plan Core Strategy.
12. No dwelling shall be occupied until parking and turning areas have been provided in accordance with approved Drawing No. 5684/1/D (PROPOSED DWELLINGS – SITE PLAN), dated JAN 18, and the parking and turning areas shall thereafter be retained for that use and shall not be used other than for the parking and turning of motor vehicles.

Reason: To provide on-site parking and turning areas to ensure that the development does not prejudice the free flow of traffic or conditions of general safety along the highway, in accordance with Policies CO6 (ii) and TR4 of the Rother Local Plan Core Strategy.
13. No dwelling shall be occupied until cycle parking areas been provided in accordance with plans or details which have been first submitted to and approved in writing by the Local Planning Authority and the cycle parking areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development, in accordance with Policies OSS4 (i) and TR3 of the Rother Local Plan Core Strategy.
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no enlargement, improvement or other alteration of a dwelling, and no garage, building, structure or erection of any kind, as defined within Classes A, B, C and E of Part 1 of the Schedule 2 of the Order, shall be carried out on the site otherwise than in accordance with a planning permission granted by the Local Planning Authority.
Reason: To safeguard the amenities of the neighbouring properties and the landscape setting of the development, and to retain appropriate outdoor amenity space for future occupiers, in accordance with Policies OSS4 (i, ii and iii) and EN3 of the Rother Local Plan Core Strategy.

NOTES:

1. The development is subject to the Community Infrastructure Levy (CIL). Full details will be set out in the CIL Liability Notice which will be issued in conjunction with this decision. All interested parties are referred to

<http://www.rother.gov.uk/CIL> for further information and the charging schedule.

2. With regard to condition 3 the landowner and/or developer is advised that measures for the protection of trees and hedgerows should be based on the details set out in the Recommendations Section of the Arboricultural Report prepared by The Mayhew Consultancy Ltd, submitted with planning application RR/2018/488/P.
3. Any proposed works on or abutting the existing highway will require a Section 184 Licence with the County Council, prior to the commencement of works. Details of construction, surface water drainage, gradients and potential traffic management requirements can all be discussed with East Sussex County Council through the section 184 Licence process. Any temporary access would also be subject to the section 184 Licence process prior to any commencement of work.
4. The development will be subject to the requirements of the Building Regulations, and advice should be sought from the East Sussex Building Control Partnership. No work should be carried out until any necessary permission has been obtained.
5. The landowner and/or developer should take all relevant precautions to minimise the potential for disturbance to adjoining occupiers from noise and dust during the construction period. This should include not working outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays, and no such work should take place on Sundays or Bank Holidays.
6. The landowner and/or developer is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning permission for a development does not provide a defence against prosecution under European and UK wildlife protection legislation. Separate licences and consents may be required to undertake work on the site where protected species are found and these should be sought before development commences.
7. The landowner and/or developer should consider post development opportunities for increasing biodiversity on the site, as detailed in section 9 of the approved Preliminary Ecological Appraisal (EA/54917) prepared by The Mayhew Consultancy Ltd, dated January 2018.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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**Single storey chalet style extension to side and front
with dormers in roof.**

Statutory 8 week date: 12 April 2018

Extension of time agreed to: 25 April 2018

DECISION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Drawing No. PL2098/06 dated 12/10/2017
Drawing No. PL2098/07C dated 10/04/2018
Drawing No. PL2098/02C dated 04/04/2018
Drawing No. PL2098/03B dated 11/02/2018
Drawing No. PL2098/04C dated 04/04/2018
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. The materials to be used in the construction of the roof of the extension hereby permitted shall match in materials, colour and texture those used in the existing building unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.
Reason: To maintain the characteristics of the existing building in accordance with Policies OSS4 (iii) of the Rother Local Plan Core Strategy.
4. The extension hereby permitted shall not be occupied until the 2.4m high trellis fencing as shown on Drawing Ref PL2098/07C dated 10/04/2018 is provided on the eastern side of the retained decking.
Reason: To preserve the residential amenities of the neighbouring properties to the east and north-east in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.
5. The extension hereby permitted shall not be occupied until the proposed trellis fencing on the eastern boundary, as shown on Drawing Ref PL2098/07C dated 10/04/2018 has been erected, and this fencing shall be of a height of 2.4m and no higher, measured from the ground level adjacent to the fencing.
Reason: To preserve the residential amenities of the neighbouring properties to the east and north-east and to ensure a stepped effect is created, providing privacy to the neighbouring properties while not being overbearing, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

NOTES:

1. For clarification purposes, the land edged red as shown on the site plan PL2098/06 dated 12/10/2017 and block plan PL2098/07C dated 10/04/2018 is not considered to be the authorised residential curtilage of 99 Battery Hill, Fairlight.
2. The applicant is advised to consider the impact any proposed security lighting to the extension may have on the residential amenities of neighbouring properties, in particular 'Mickelwood' to the north-east, given the sloping nature of the site.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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RR/2018/673/P

PETT Westcott, Chick Hill

Demolition of existing extension, outbuildings and raised balcony. Construct two storey extension and internal alterations.

Statutory 8 week date: 23 April 2018

DECISION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Site Location Plan dated 15/01/2018
Block/site plan dated 19/02/2018
Drawing No. 878.P01 dated Feb'18
Drawing No. 878.P02 dated Feb'18
Drawing No. 878.P03 dated Feb'18
Drawing No. 878.P04 dated Feb'18

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. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in materials, colour and texture those used in the existing building unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.

Reason: To maintain the characteristics of the existing building in accordance with Policies OSS4 (iii) of the Rother Local Plan Core Strategy.

NOTES:

1. The applicant is advised that the granting of this permission does not authorise any use of the farm track to the south of the dwelling for construction traffic. Any issues arising from the use of this track is a private matter between the applicant and any other relevant landowners / parties with an interest in the track in question.

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.

(Councillor Lord Ampthill declared a personal and prejudicial interest in this matter in so far as he was related to the applicant and in accordance with the Members' Code of Conduct left the room during the consideration thereof).

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RR/2018/804/P

CATSFIELD Covertside, Powdermill Lane

Variation of condition 2 imposed on RR/2016/160/P to re-site the proposed dwelling by 1.6m from the eastern boundary and 1.8m back into the site.

Statutory 8 week date: 8 May 2018

DECISION: GRANT (FULL PLANNING) DELEGATED (S.106 PLANNING OBLIGATION TO REQUIRE THE EXISTING DWELLING TO BE DEMOLISHED AND ANY RIGHTS TO REBUILD TO BE EXTINGUISHED)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of the operative permission RR/2016/160/P.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plan:
Drawing No. 15.708/03 B dated March 2018; and
Drawing No. 15.708/04A dated March 2018.
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. No development shall commence, including the demolition of the existing dwelling, until tree protection barriers and ground protection measures have been provided in accordance with sections 10, 13 and 14 and Appendix B, F and G of The Mayhew Consultancy Ltd Arboricultural Report dated January 2016 (ref. AR/41915).
Reason: Commencing development before tree protection measures are provided could adversely impact on the health and condition of the trees. The tree protection measures will protect the condition of the trees in accordance with Policy EN5 (viii) of the Rother Local Plan Core Strategy and paragraph 118 of the National Planning Policy Framework.
4. The dwelling hereby permitted shall not be constructed until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure that the new dwelling is in keeping with its surroundings and to preserve the visual amenities of the area in accordance with Policies OSS4 (iii), RA3 (iii) (c), EN1 (i) and EN3 of the Rother Local Plan Core Strategy.
5. The driveway hereby permitted shall be surfaced with a permeable gravel material.
Reason: In order to manage the quantity and rate of surface water run-off in accordance with Policy SRM2 (iii) of the Rother Local Plan Core Strategy.
6. The dwelling hereby permitted shall not be brought into use until the existing roadside hedge has been removed and replaced with new native hedging set behind improved visibility splays. The access shall not be brought into use until a plan showing the position of new native hedging has been submitted to and approved in writing by the Local Planning Authority. The plan shall be accompanied by a detailed specification of the species, sizes, number and density together with an implementation programme. The new hedge shall be planted in accordance with the approved details.
Reason: In order to compensate against the loss of the roadside hedge, which contributes positively to the character and appearance of the locality and in the interests of highway safety in accordance with Policies OSS4 (iii), CO6 (ii) and EN1 (i) of the Rother Local Plan Core Strategy.
7. If within a period of five years from the date of the planting of any hedge that hedge, or any hedge planted in replacement for it, is removed, uprooted, destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another hedge of the same

species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In order to compensate against the loss of the roadside hedge, which contributes positively to the character and appearance of the locality in accordance with Policies OSS4 (iii) and EN1 (i) of the Rother Local Plan Core Strategy.

8. The dwelling hereby permitted shall not be occupied until space has been laid out within the site in accordance with the approved plan, Drawing No. 15.708/03 B dated March 2018, for the parking and turning of vehicles and it shall thereafter be retained for those purposes only.

Reason: To provide adequate on-site parking and turning and thereby ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the highway in accordance with Policy CO6 (ii) of the Rother Local Plan Core Strategy.

9. The dwelling hereby permitted shall not be occupied until bin storage facilities are provided in accordance with the approved plan, Drawing No. 15.708/03 B dated March 2018.

Reason: To preserve the visual amenities of the area in accordance with Policies OSS4 (iii) and EN1 (i) of the Rother Local Plan Core Strategy.

NOTES:

1. This permission is the subject of an obligation under section 106 of the Town and Country Planning Act 1990.
2. The applicant is reminded that under the Wildlife and Countryside Act 1981 (Section 1) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Trees and scrub are present on the application site and should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.
3. The applicant is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning permission for a development does not provide a defence against prosecution under European and UK wildlife protection legislation. Separate licences and consents may be required to undertake work on the site where protected species are found and these should be sought before development commences.
4. This planning permission does not authorise any interference with animals, birds, marine life, plants, fauna and habitats in contravention of the requirements of the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 (CROW) and other legislation. Further advice on the requirements of these Acts is available from Natural England, Sussex and Surrey Team, Phoenix House, 33 North Street, Lewes, East Sussex BN7 2PH.
5. The development is subject to the Community Infrastructure Levy (CIL). Full details will be set out in the CIL Liability Notice which will be issued in conjunction with this decision. All interested parties are referred to

<http://www.rother.gov.uk/CIL> for further information and the charging schedule.

NATIONAL PLANNING POLICY FRAMEWORK:

In accordance with the requirements of the National Planning Policy 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.

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